S/INF/52

RESOLUTIONS AND DECISIONS OF THE SECURITY COUNCIL 1996

SECURITY COUNCIL
OFFICIAL RECORDS: FIFTY-FIRST YEAR

UNITED NATIONS

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UNITED NATIONS
NEW YORK, 1998

NOTE

The volume *Resolutions and Decisions of the Security Council* is published on a yearly basis. The present volume contains the resolutions adopted and the decisions taken by the Council on substantive questions during 1996, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council in the year under review, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote, but in cases where a vote has been recorded, it is given immediately after the decision.

S/INF/52

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CONTENTS

	Page
Membership of the Security Council in 1996	v
Resolutions adopted and decisions taken by the Security Council in 1996	1
Part I: ***Questions considered by the Security Council under its responsibility for the maintenance of international peace and security***	
The situation in Burundi	1
The situation in Angola	10
Items relating to the situation in the former Yugoslavia:	
The situation in Croatia	24
The situation in the Republic of Bosnia and Herzegovina	38
The situation in the former Yugoslav Republic of Macedonia	46
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former of Yugoslavia	48
The situation in the former Yugoslavia	49
The situation in Georgia	50
The situation in the Middle East	56
The situation in Somalia	60
The situation in Liberia	62
The situation concerning Western Sahara	69
Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995	72
The situation concerning Rwanda	76
The situation in Afghanistan	80
The situation in Sierra Leone	83
Shooting down of two civil aircraft on 24 February 1996	85
The question concerning Haiti	87
Communications concerning relations between the Republic of Cameroon and the Federal Republic of Nigeria	91
The situation between Iraq and Kuwait	93
Items relating to an Agenda for Peace:	
An Agenda for Peace: peacekeeping	98

Demining in the context of United Nations peacekeeping 99

The situation in Tajikistan and along the Tajik-Afghan border 101

The situation in Cambodia 106

Signature of the African Nuclear-Weapon-Free Zone Treaty (The Treaty of Pelindaba) . 106

The situation in the occupied Arab territories 107

Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America 108

The situation in Cyprus 109

Letters dated 23 September and 3 and 11 October 1996 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council

Letters dated 23 September 1996 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council and 27 September 1996 addressed to the Secretary-General 112

The situation in the Great Lakes region 113

Part II. Other matters considered by the Security Council

Security Council working methods and procedure 120

The International Court of Justice:

A. Election of a member of the International Court of Justice 132

B. Election of five members of the International Court of Justice 132

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States 133

Consideration of the draft report of the Security Council to the General Assembly 134

Recommendation regarding the appointment of the Secretary-General of the United Nations 134

Items included in the agenda of the Security Council in 1996 for the first time 137

Checklist of resolutions adopted by the Security Council in 1996 139

Checklist of statements made and/or issued by the President of the Security Council during 1996 143

MEMBERSHIP OF THE SECURITY COUNCIL IN 1996

In 1996, the membership of the Security Council was as follows:

Botswana
Chile
China
Egypt
France
Germany
Guinea-Bissau
Honduras
Indonesia
Italy
Poland
Republic of Korea
Russian Federation
United Kingdom of Great Britain and Northern Ireland
United States of America

RESOLUTIONS ADOPTED AND DECISIONS TAKEN BY THE SECURITY COUNCIL IN 1996

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

THE SITUATION IN BURUNDI[1]

Decisions

At its 3616th meeting, on 5 January 1996, the Security Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Letter dated 29 December 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/1068)".[2]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

"The Security Council has considered the letter dated 29 December 1995 from the Secretary-General to the President of the Council on developments in Burundi.[4] The Council shares the deep concern of the Secretary-General about the situation in Burundi, which has been characterized by daily killings, massacres, torture and arbitrary detention. It condemns in the strongest terms those persons responsible for such actions, which must cease immediately. It encourages all States to take the measures deemed necessary to prevent such persons from travelling abroad and receiving any kind of support. It reiterates its profound concern about radio stations which incite hatred and acts of genocide and encourages Member States and others concerned to cooperate in the identification and dismantling of them. The Council calls upon all concerned in Burundi to exercise maximum restraint and to refrain from all acts of violence. It reiterates that all who commit or authorize the commission of serious violations of international humanitarian law are individually responsible for such violations and should be held accountable. In this context, it stresses the importance it attaches to the work of the International Commission of Inquiry established pursuant to its resolution 1012 (1995) of 28 August 1995 and undertakes to study carefully the letter from the Secretary-General dated 3 January 1996 containing an interim report on that work.[5]

"The Council is gravely concerned at recent attacks on personnel of international humanitarian organizations, which have led to the suspension of essential assistance to refugees and displaced persons and to the temporary withdrawal of international personnel. The Council welcomes the decision of the Secretary-General to ask the United Nations High Commissioner for Refugees to visit Burundi to discuss with the Burundian authorities steps that might be taken to defuse the situation. It underlines the fact that the authorities in Burundi are responsible for the security of personnel of international humanitarian organizations and of the refugees and displaced persons there and calls upon the Government of Burundi to provide adequate security to food convoys and humanitarian personnel.

"The Council welcomes the assumption of his functions by the new Special Representative of the Secretary-General for Burundi and calls upon all concerned to support his efforts. It commends the work of the Office of the Special Representative in seeking to promote dialogue and national reconciliation in Burundi, as well as the role played there by the Organization of African Unity. It welcomes the decision of the Organization of African Unity in Addis Ababa on 19 December 1995 to extend the mandate of its mission in Burundi for another three months and to strengthen the civilian component of the mission. The Council also welcomes the outcome of the Cairo conference of heads of State of the Great Lakes region held on 28 and 29 November 1995, supports the work of the facilitators appointed by the conference and emphasizes once again the importance it attaches to all States acting in accordance with the recommendations contained in the Cairo Declaration,[6] as well as those adopted at the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995. It stresses the importance of continued attention by the international community as a whole to the situation in Burundi and encourages Member States to intensify contacts and visits.

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993, 1994 and 1995.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995.*

[3] S/PRST/1996/1.

[4] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1068.

[5] Ibid., *Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/8.

[6] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1001.

"The Council notes the proposals referred to in the letter from the Secretary-General dated 29 December 1995. It will consider these and other proposals he may submit in the light of the reports of Mrs. Ogata's mission and of his Special Representative for Burundi. It also requests the Secretary-General to consider what role United Nations personnel in the region and other support personnel might play in Burundi.

"The Council reaffirms its support for the Convention on Governance of 10 September 1994,[7] which constitutes the institutional framework for national reconciliation in Burundi and for the institutions of Government established in line with it. It calls once again upon all political parties, military forces and elements of civil society in Burundi fully to respect and implement the Convention on Governance and to give their continued support to the institutions of Government established in line with it.

"The Council will remain seized of this matter."

On 12 January 1996, the President of the Security Council addressed the following letter to the Secretary-General:[8]

"I have the honour to inform you that your letter dated 3 January 1996 concerning the work of the International Commission of Inquiry in Burundi[5] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter. They underline once again the importance they attach to the work of the Commission and to the investigations it is undertaking. They underline also the necessity for all concerned to cooperate fully with the Commission. The members of the Council welcome the agreement of the Organization of African Unity, reported to them by your representative, to allow its observers in Burundi to accompany Commission officers in their work in the light of the security situation.

"The members of the Council look forward to being kept informed by you of the progress of the Commission's work and to receiving in due course the final report requested in Council resolution 1012 (1995)."

At its 3623rd meeting, on 29 January 1996, the Council decided to invite the representatives of Burundi and Zaire to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Letter dated 29 December 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/1068)"[2]

"Letter dated 16 January 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/36)".[9]

Resolution 1040 (1996)
of 29 January 1996

The Security Council,

Recalling the statement by its President of 5 January 1996,[3]

Having considered the letters from the Secretary-General to the President of the Security Council dated 29 December 1995[4] and 16 January 1996,[10]

Deeply concerned at the continued deterioration in the situation in Burundi and at the threat this poses to the stability of the region as a whole,

Condemning in the strongest terms those responsible for the increasing violence, including against refugees and international humanitarian personnel,

Underlining the importance it attaches to the continuation of humanitarian assistance to refugees and displaced persons in Burundi,

Underlining also the responsibility of the authorities in Burundi for the security of international personnel and of refugees and displaced persons there,

Welcoming, in this context, the recent visit of the United Nations High Commissioner for Refugees to Burundi, at the request of the Secretary-General, and plans for the establishment of a standing mechanism of consultation on security issues between the Government of Burundi, the United Nations and non-governmental organizations,

Stressing the paramount importance and imperative need for all concerned in Burundi to pursue dialogue and national reconciliation,

Stressing also the importance it attaches to the continuation and intensification of efforts by the international community to avert a further worsening of the situation in Burundi and to promote dialogue and national reconciliation there,

Noting with appreciation the ongoing efforts of the Secretary-General and his staff, the Organization of African Unity and its military observers in Burundi, the European Union, and the facilitators appointed by the Cairo conference of heads of State of the Great Lakes region held on 28 and 29 November 1995,

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[7] Ibid., *Supplement for January, February and March 1995*, document S/1995/190.

[8] S/1996/27.

[9] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[10] Ibid., document S/1996/36.

Reaffirming its support for the Convention on Governance of 10 September 1994,[7] and for the institutions of Government established in line with it,

1. *Demands* that all concerned in Burundi exercise restraint and refrain from acts of violence;

2. *Expresses its fullest support* for the efforts of the Secretary-General and others, in support of the Convention on Governance,[7] to facilitate a comprehensive political dialogue with the objective of promoting national reconciliation, democracy, security and the rule of law in Burundi;

3. *Calls upon* all concerned in Burundi to participate in a positive spirit and without delay in such dialogue and to support the efforts of the Special Representative of the Secretary-General and others seeking to facilitate such dialogue;

4. *Invites* Member States and others concerned to cooperate in the identification and dismantling of radio stations which incite hatred and acts of violence in Burundi;

5. *Requests* the Secretary-General, in consultation as appropriate with the Organization of African Unity and with Member States concerned, to consider what further steps may be necessary to prevent the situation from deteriorating further and to develop contingency plans as appropriate;

6. *Welcomes* the sending by the Secretary-General of a technical security mission to Burundi to examine ways to improve existing security arrangements for United Nations personnel and premises and the protection of humanitarian operations;

7. *Requests* the Secretary-General to keep the Council closely informed, including on the technical security mission he has sent to Burundi, and to submit to the Council by 20 February 1996 a full report on the situation, covering the progress of his efforts to facilitate a comprehensive political dialogue and the actions undertaken pursuant to paragraph 5 above, including contingency planning;

8. *Declares its readiness,* in the light of that report and of developments in the situation:

(*a*) To consider the imposition of measures under the Charter of the United Nations, including a ban on the supply of all arms and related *matériel* to Burundi and travel restrictions and other measures against those leaders in Burundi who continue to encourage violence;

(*b*) To consider what other steps may need to be taken;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 3623rd meeting.

Decision

At its 3639th meeting, on 5 March 1996, the Security Council decided to invite the representative of Burundi, the Congo, Nigeria, Norway, Rwanda and Tunisia to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Report of the Secretary-General on the situation in Burundi (S/1996/116)".[9]

Resolution 1049 (1996) of 5 March 1996

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Burundi, in particular the statement of 5 January 1996[3] and resolution 1040 (1996) of 29 January 1996,

Noting the views expressed by the Government of Burundi set out in its letter to the President of the Security Council dated 13 February 1996,[11]

Welcoming the efforts of the President and the Prime Minister of Burundi and other members of the Government to calm the situation in the country,

Deeply concerned at the support extended to certain groups in Burundi by some of the perpetrators of the genocide in Rwanda and the threat this poses to the stability of the region,

Deeply concerned also at all acts of violence in Burundi and at the continued incitement to ethnic hatred and violence by radio stations and the growth of calls for exclusion and genocide,

Deeply disturbed that the persistence of the conflict has had a negative impact on the humanitarian situation and on the capacity of the international community to continue to assist the people of Burundi,

Supporting the work of the International Commission of Inquiry established by resolution 1012 (1995) of 28 August 1995,

Taking note of the letter from the Secretary-General to the President of the Security Council dated 3 January 1996,[5] in which he reports that the Commission believes that the United Nations security personnel currently provided for its protection are inadequate,

Reiterating the urgent need for all concerned in Burundi, including extremists inside and outside the country, to make concerted efforts to defuse the present crisis and to commit themselves to a dialogue aimed at establishing a permanent political settlement and the creation of conditions conducive to national reconciliation,

Reaffirming its commitment to assist the people of Burundi to achieve a lasting political solution,

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[11] Ibid., document S/1996/110, annex.

Recognizing the urgent need for preparations aimed at anticipating and preventing the escalation of the present crisis in Burundi,

Reaffirming its support for the Convention on Governance of 10 September 1994[7] and for the institutions of Government established in line with it,

1. *Welcomes* the report of the Secretary-General of 15 February 1996;[12]

2. *Condemns in the strongest terms* all acts of violence perpetrated against civilians, refugees and international humanitarian personnel and the assassination of government officials;

3. *Demands* that all concerned in Burundi refrain from all acts of violence, incitement to violence and from seeking to destabilize the security situation or depose the Government by force or by other unconstitutional means;

4. *Calls upon* all concerned in Burundi to engage, as a matter of urgency, in serious negotiations and mutual accommodation within the framework of the National Debate agreed upon by the signatories to the Convention on Governance[7] and to increase efforts towards national reconciliation;

5. *Reiterates its invitation* to Member States and others to cooperate in the identification and dismantling of radio stations which incite hatred and acts of violence in Burundi;

6. *Requests* the Secretary-General, in consultation with interested States and organizations, to report to the Council on the possibility of establishing a United Nations radio station in Burundi, including through voluntary contributions, to promote reconciliation and dialogue and to relay constructive information as well as support the activities undertaken by other United Nations agencies, particularly in the fields of refugees and returnees;

7. *Calls upon* all parties to cooperate fully with the International Commission of Inquiry, reminds the Government of Burundi of its responsibility to ensure security and protection for members and personnel of the Commission, requests the Secretary-General to continue his consultations with the Government of Burundi and the observer mission in Burundi of the Organization of African Unity with a view to ensuring that adequate security is provided for the Commission, and invites Member States to provide adequate voluntary financing to the Commission;

8. *Expresses strong support* for the efforts of the Secretary-General of the United Nations and his Special Representative, the Organization of African Unity, the European Union, former Presidents Nyerere and Carter and the other facilitators appointed by the Cairo conference of heads of State of the Great Lakes region, and others seeking to facilitate political dialogue in Burundi, and encourages the international community to extend political and financial support to the National Debate;

9. *Invites* Member States and regional, international and non-governmental organizations to stand ready to provide assistance in support of progress achieved by the parties towards political dialogue, and to cooperate with the Government of Burundi in initiatives for comprehensive rehabilitation in Burundi, including in military and police reform, judicial assistance, development programmes and support at international financial institutions;

10. *Encourages* the Organization of African Unity to increase the size of its observer mission in Burundi, as formally requested by the Government of Burundi, and stresses the need for the military observers to operate without any restrictions on their movement to any part of the country;

11. *Declares its commitment and readiness* to assist the parties in their implementation of agreements reached through political dialogue;

12. *Requests* the Secretary-General, in consultation as appropriate with the Government of Burundi, the heads of State of the Great Lakes region, Member States concerned, the Organization of African Unity and the European Union, to intensify the preparations for convening a regional conference for peace, security and development in the Great Lakes region to address the issues of political and economic stability, as well as peace and security in the Great Lakes States;

13. *Encourages* the Secretary-General to continue his consultations with Member States concerned and the Organization of African Unity, as appropriate, on contingency planning both for the steps that might be taken to support a comprehensive dialogue and for a rapid humanitarian response in the event of widespread violence or a serious deterioration in the humanitarian situation in Burundi;

14. *Decides* to keep the situation under constant review and to consider further the recommendations of the Secretary-General in the light of the developments in Burundi, and declares its readiness to respond as appropriate considering all relevant options, including those contained in resolution 1040 (1996);

15. *Requests* the Secretary-General to keep the Council closely informed on the situation in Burundi, including on his efforts to facilitate a comprehensive political dialogue, to report to the Council in the event of a serious deterioration in the situation, and to submit a full report on the implementation of the present resolution by 1 May 1996;

16. *Decides* to remain seized of the matter.

Adopted unanimously at the 3639th meeting.

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[12] Ibid., document S/1996/116.

Decisions

At its 3659th meeting, on 25 April 1996, the Security Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Letter dated 12 April 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/313)".[13]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[14]

"The Security Council has taken note of the letter dated 12 April 1996 from the Secretary-General to the President on the present situation in Burundi,[15] in response to the request to the Secretary-General in resolution 1049 (1996) to keep the Council informed on the situation.

"The Council is deeply concerned at the recent degeneration of security conditions and political cooperation in Burundi. The Council condemns all acts of violence. The Council is equally concerned at reported statements calling for the arming of civilians which could lead to grave consequences. The dramatic increase in violence throughout the country already severely inhibits humanitarian aid and could have a negative effect on the capacity of the donor to implement development assistance in support of the search by the people of Burundi for reconciliation and rehabilitation.

"The Council urges the authorities and all parties in Burundi to set aside their differences and demonstrate the necessary cohesion, unity and political will for settlement of the conflict by peaceful means. The Council calls upon all Burundians to renounce the use of violence and to engage in a comprehensive dialogue to ensure a peaceful future for the people of Burundi.

"The Council is deeply concerned at the widespread purchase and use of weapons by Burundians, in particular the laying of landmines.

"The Council looks forward to the recommendations of the Secretary-General in the report it requested by 1 May 1996 on the progress towards commencement of the National Debate and other initiatives for comprehensive political dialogue and national reconciliation. The Council extends its full support for and confidence in the efforts of the Special Representative of the Secretary-General and those of former President Nyerere and other envoys to facilitate negotiations to resolve the present crisis.

"The Council requests the Secretary-General, in accordance with paragraph 13 of resolution 1049 (1996), to expedite consultations with Member States concerned and the Organization of African Unity, as appropriate, on contingency planning both for the steps that might be taken to support a comprehensive dialogue and for a rapid humanitarian response in the event of widespread violence or serious deterioration in the humanitarian situation in Burundi.

"The Council underlines its commitment to follow events in Burundi closely and resolves to consider further all relevant options for an appropriate response by the international community upon receipt of the impending report of the Secretary-General."

At its 3664th meeting, on 15 May 1996, the Council decided to consider the item entitled:

"The situation in Burundi

"Report of the Secretary-General on the situation in Burundi (S/1996/335)".[13]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[16]

"The Security Council has considered the report of the Secretary-General of 3 May 1996 on the situation in Burundi, submitted pursuant to resolution 1049 (1996).[17]

"The Council is gravely concerned at the continued deterioration of the security situation in Burundi, in particular at reports of a downward spiral of violence which has resulted in further large-scale killings in Buhoro and Kivyuka, and at the increasing flow of refugees from Burundi. The Council is deeply concerned that relief organizations have been prevented from delivering vital humanitarian and development assistance in Burundi, and at the suffering which this imposes on the people of Burundi. It calls upon the parties and all concerned to refrain from any action that could aggravate the problem of refugees.

"The Council strongly condemns any use of violence and emphasizes its conviction that a lasting settlement of the situation in Burundi can be found only through peaceful means. The Council calls upon the parties to engage in a comprehensive political dialogue aimed at achieving national reconciliation in Burundi. The Council once again urges the authorities and all parties concerned in Burundi to set aside their

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[13] Ibid., *Supplement for April, May and June 1996.*

[14] S/PRST/1996/21.

[15] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/313.

[16] S/PRST/1996/24.

[17] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/335.

differences, renounce the use of force and demonstrate a firm political will for a prompt settlement of the conflict.

"The Council stresses the importance of the commencement of the National Debate provided for in the Convention on Governance,[7] as an appropriate mechanism for a wide-ranging political dialogue in which all parties to the conflict should participate without any preconditions. The Council reaffirms its support for the convening of a regional conference for peace, security and development in the Great Lakes region and calls upon all the States concerned to render their cooperation for the convening of the conference.

"The Council reiterates its full support for the ongoing efforts of former President Nyerere to facilitate negotiations and political dialogue to resolve the crisis in Burundi and looks forward to a successful outcome of the upcoming meeting in Mwanza, United Republic of Tanzania, on 22 May 1996. The Council calls upon the parties to make full use of the meeting to achieve progress towards national reconciliation. It also supports the efforts of the Secretary-General and his Special Representative to that end.

"The Council emphasizes the importance of the continued cooperation of the United Nations with the Organization of African Unity, the European Union and other interested countries and organizations in coordination with former President Nyerere, aimed at achieving the objective of a comprehensive political dialogue between the parties in Burundi. In this regard, the Council expresses its support for the efforts of the Organization of African Unity and its observer mission and calls upon all States to contribute generously to the Peace Fund of the Organization of African Unity in order to enable that organization to increase the size of the mission and to extend its mandate beyond July 1996.

"The Council welcomes the endorsement by the Secretary-General of the conclusions of the technical mission providing for United Nations radio broadcasts in Burundi and looks forward to being kept informed by him of progress made in the implementation of their recommendations.

"The Council reiterates the importance it attaches to the contingency planning called for in paragraph 13 of resolution 1049 (1996) and notes the consultations which have already taken place. In the light of recent developments, it requests the Secretary-General and Member States concerned to continue to facilitate, as a matter of urgency, contingency planning for a rapid humanitarian response in the event of widespread violence or a serious deterioration in the humanitarian situation in Burundi. It also encourages the Secretary-General further to pursue planning for steps that might be taken to support a possible political agreement.

"The Council reminds all parties of their responsibilities for restoring peace and stability in Burundi and recalls its readiness, as set out in resolution 1040 (1996), to consider the adoption of further measures should the parties fail to demonstrate the necessary political will for a peaceful solution to the crisis. The Council will remain seized of the matter."

At its 3682nd meeting, on 24 July 1996, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Letter dated 22 July 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/591)".[18]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[19]

"The Security Council is gravely concerned at recent information on political developments in Burundi. It strongly condemns any attempt to overthrow the present legitimate Government by force or *coup d'état*.

"The Council takes note of the letter dated 22 July 1996 from the Secretary-General to the President.[20] The Council condemns the massacre of civilians, including that of more than three hundred women, children and elderly men in the Bugendana commune in Gitega Province. The Council calls upon all parties to the conflict in Burundi to cease immediately any acts of violence and to cooperate fully with all those who are seeking to bring an end to the vicious cycle of violence. The Council urges all parties to exercise restraint and requests the Burundi authorities to conduct a proper investigation of the massacre.

"The Council once again urges the authorities and all parties concerned in Burundi to set aside their differences, renounce the use of force and demonstrate a firm political will for the prompt settlement of the conflict.

"The Council deplores the recent forced repatriation of Rwandan refugees from refugee camps in Kibezi and Ruvumu and calls upon the Government of Burundi to honour its obligations under the Convention relating to the Status of Refugees of 28 July 1951,[21] and to desist from further refoulement of refugees. The Council is also concerned at reports of Rwandan cooperation in the forced repatriation process.

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[18] Ibid., *Supplement for July, August and September 1996*.

[19] S/PRST/1996/31.

[20] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/591.

[21] United Nations, *Treaty Series*, vol. 189, No. 2545.

"The Council supports the efforts of the Office of the United Nations High Commissioner for Refugees and urges all parties to work with the Office of the High Commissioner to ensure that the rights of refugees are respected. The Council calls upon the international community to respond favourably to the recent appeal to fund the activities of the Office of the High Commissioner in the region.

"The Council stresses its full support for the efforts of former President Nyerere, including the agreements of the Arusha Regional Summit of 25 June 1996,[22] and welcomes the full support of the Organization of African Unity for those agreements. The Council supports also the acceptance by the Arusha Regional Summit of the request by the Government of Burundi for security assistance in order to complement and reinforce the Mwanza peace talks as well as for creating conducive security conditions for all parties to participate freely in the Mwanza process. The Council encourages all parties to work in a constructive manner with former President Nyerere. It urges the Government of Burundi to grant permission to the international technical committee, established at the Arusha Regional Summit, to enter the country in order to work out the logistics of the regional peace plan.

"The Council emphasizes the importance of thecontinued cooperation of the United Nations with the Organization of African Unity, the European Union, the United States of America and other interested countries and organizations in coordination with former President Nyerere, aimed at achieving a comprehensive political dialogue between the parties in Burundi. In this regard, the Council expresses its support for the efforts of the Organization of African Unity and its observer mission and welcomes the extension of the mandate of the mission.

"The Council reiterates the importance it attaches to the contingency planning called for in paragraph 13 of resolution 1049 (1996) and notes the consultations which have already taken place. In the light of recent developments, it requests the Secretary-General and Member States concerned to continue to facilitate contingency planning for a rapid humanitarian response in the event of widespread violence or a serious deterioration in the humanitarian situation in Burundi.

"The Council reminds all Burundian parties of their responsibilities for restoring peace and stability in Burundi, underlines its commitment to follow events in Burundi closely and recalls its readiness, as set out in resolution 1040 (1996), to consider the adoption of further measures should the parties fail to demonstrate the necessary political will for a peaceful solution to the crisis. The Council will remain seized of the matter."

[22] See *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/557.

At its 3684th meeting, on 29 July 1996, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[23]

"The Security Council regrets that both civilian and military leaders of Burundi did not resolve their differences through established constitutional mechanisms and condemns the actions that led to the overthrow of constitutional order in Burundi.

"The Council calls upon all Burundian leaders to respect the Burundi constitution and the will of the people of the country. The Council urges the military leaders of Burundi to restore constitutional government and processes, including the continuation of the elected National Assembly and civil institutions and respect for human rights. The Council stresses that the present situation in Burundi requires utmost restraint and calls upon all concerned to refrain from any actions and statements that could provoke further escalation of the crisis.

"The Council calls upon all Burundian parties and leaders to halt all violence and engage immediately in concerted efforts to achieve a lasting national settlement and reconciliation. The Council stresses their responsibility to protect the lives of all persons, including President Ntibantunganya, Prime Minister Nduwayo and members of their Government, and expects them to maintain democratic institutions and to enter into negotiations for a peaceful resolution of the crisis.

"The Council reiterates its full support for regional mediation efforts, including those of former President Nyerere and the Organization of African Unity.

"The Council will remain actively seized of the matter."

At its 3692nd meeting, on 28 August 1996, the Council decided to invite the representative of Australia, Belgium, Burundi, Canada, Ethiopia, Ireland, Japan, South Africa, Uganda and the United Republic of Tanzania to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Report of the Secretary-General on the situation in Burundi (S/1996/660)".[18]

At its 3695th meeting, on 30 August 1996, the Council, in accordance with the decision taken at its 3692nd meeting, again invited the representatives of Australia, Belgium,

[23] S/PRST/1996/32.

Burundi, Canada, Ethiopia, Ireland, Japan, South Africa, Uganda and the United Republic of Tanzania, to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Report of the Secretary-General on the situation in Burundi (S/1996/660)".[18]

Resolution 1072 (1996)
of 30 August 1996

The Security Council,

Reaffirming all its previous resolutions and statements by its President on the situation in Burundi,

Recalling the statement by its President of 24 July 1996,[19] in which the Council strongly condemned any attempt to overthrow the legitimate Government of Burundi by force or *coup d'état*, and recalling also the statement by its President of 29 July 1996[23] in which the Council condemned the actions that led to the overthrow of constitutional order in Burundi,

Deeply concerned at the continued deterioration in the security and humanitarian situation in Burundi that has been characterized in the last years by killings, massacres, torture and arbitrary detention, and at the threat that this poses to the peace and security of the Great Lakes region as a whole,

Reiterating its appeal to all parties in Burundi to defuse the present crisis and to demonstrate the necessary cohesion, unity and political will to restore constitutional order and processes without delay,

Reiterating the urgent need for all parties in Burundi to commit themselves to a dialogue aimed at establishing a comprehensive political settlement and the creation of conditions conducive to national reconciliation,

Recalling that all persons who commit or authorize the commission of serious violations of international humanitarian law are individually responsible for such violations and should be held accountable, and reaffirming the need to put an end to impunity for such acts and the climate that fosters them,

Strongly condemning those responsible for the attacks on personnel of international humanitarian organizations, and underlining the fact that all parties in Burundi are responsible for the security of such personnel,

Emphasizing the urgent need to establish humanitarian corridors to ensure the unimpeded flow of humanitarian goods to all people in Burundi,

Taking note of the letter dated 2 August 1996 from the Permanent Representative of the United Republic of Tanzania to the United Nations addressed to the Secretary-General,[24]

Taking note also of the note by the Secretary-General transmitting a letter from the Secretary-General of the Organization of African Unity dated 5 August 1996,[25]

Reiterating its support for the immediate resumption of dialogue and negotiations under the auspices of the Mwanza peace process facilitated by former President Nyerere and the joint communiqué of the Second Arusha Regional Summit on Burundi of 31 July 1996[26] which seeks to guarantee democracy and security for all people in Burundi,

Determined to support the efforts and initiatives of the countries in the region, which were also supported by the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity, aimed at returning Burundi to a democratic path and contributing to stability in the region,

Underlining the importance it attaches to the continuation of the efforts of the Organization of African Unity and its observer mission,

Welcoming the efforts made by interested Member States and by the European Union to contribute to a peaceful solution of the political crisis in Burundi,

Underlining the fact that only a comprehensive political settlement can open the way for international cooperation for the reconstruction, development and stability of Burundi, and expressing its readiness to support the convening, when appropriate, of an international conference involving the United Nations system, regional organizations, international financial institutions, donor countries and non-governmental organizations, aimed at mobilizing international support for the implementation of a comprehensive political settlement,

Recalling its resolution 1040 (1996) of 29 January 1996, in particular paragraph 8 thereof, in which the Council declared its readiness to consider the imposition of measures under the Charter of the United Nations,

Taking note of the report of the Secretary-General of 15 August 1996,[27]

A

1. *Condemns* the overthrow of the legitimate Government and constitutional order in Burundi, and condemns also all those parties and factions which resort to force and violence to advance their political objectives;

2. *Expresses its strong support* for the efforts of regional leaders, including at their meeting in Arusha on 31 July 1996, of the Organization of African Unity and of former President Nyerere, to assist Burundi to overcome peacefully the grave crisis which it is undergoing, and encourages them to continue to facilitate the search for a political solution;

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[24] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/620.

[25] Ibid., document S/1996/628.

[26] Ibid., document S/1996/620, annex.

[27] Ibid., document S/1996/660.

3. *Calls upon* the regime to ensure a return to constitutional order and legality, to restore the National Assembly and to lift the ban on all political parties;

4. *Demands* that all sides in Burundi declare a unilateral cessation of hostilities, call an immediate halt to violence and assume their individual and collective responsibilities to bring peace, security and tranquillity to the people of Burundi;

5. *Demands also* that the leaders of all parties in Burundi ensure basic conditions of security for all in Burundi by a commitment to abstain from attacking civilians, to ensure the security of humanitarian personnel operating in the territory they control and to guarantee the protection within Burundi and safe passage out of the country for the members of President Ntibantunganya's Government and the members of parliament;

6. *Demands further* that all of Burundi's political parties and factions without exception, whether inside or outside the country and including representatives of civil society, initiate unconditional negotiations immediately, with a view to reaching a comprehensive political settlement;

7. *Declares its readiness* to assist the people of Burundi with appropriate international cooperation to support a comprehensive political settlement resulting from these negotiations, and, in this context, requests the Secretary-General, in consultation with the international community, to undertake preparations when appropriate for the convening of a pledging conference to assist in the reconstruction and development of Burundi following the achievement of a comprehensive political settlement;

8. *Encourages* the Secretary-General in consultation with all those concerned, including the neighbouring States, other Member States, the Organization of African Unity and international humanitarian organizations, to establish mechanisms to ensure the safe and timely delivery of humanitarian relief throughout Burundi;

9. *Acknowledges* the implication of the situation in Burundi for the region, and underlines the importance of convening at an appropriate time a regional conference of the Great Lakes region, under the auspices of the United Nations and the Organization of African Unity;

B

10. *Decides* to re-examine the matter on 31 October 1996, and requests that the Secretary-General report to the Council by that time on the situation in Burundi, including on the status of the negotiations referred to in paragraph 6 above;

11. *Decides*, in the event that the Secretary-General reports that the negotiations referred to in paragraph 6 above have not been initiated, to consider the imposition of measures under the Charter of the United Nations to further compliance with the demand set out in paragraph 6 above; these may include, among others, a ban on the sale or supply of arms and related *matériel* of all types to the regime in Burundi and to all factions inside or outside Burundi, and measures targeted against the leaders of the regime and all factions who continue to encourage violence and obstruct a peaceful resolution of the political crisis in Burundi;

12. *Reiterates* the importance it attaches to the contingency planning called for in paragraph 13 of resolution 1049 (1996) of 5 March 1996, and encourages the Secretary-General and Member States to continue to facilitate contingency planning for an international presence and other initiatives to support and help to consolidate a cessation of hostilities, as well as to make a rapid humanitarian response in the event of widespread violence or a serious deterioration in the humanitarian situation in Burundi;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3695th meeting.

Decision

On 24 September 1996, the President of the Security Council addressed the following letter to the Secretary-General:[28]

> "I have the honour to inform you that your letter dated 25 July 1996 enclosing the report of the International Commission of Inquiry in Burundi[29] has been brought to the attention of the members of the Security Council.
>
> "The members of the Council are gravely concerned at the conclusions of the Commission set out in its report.
>
> "The members of the Council continue to attach the utmost importance to bringing to justice those responsible for the assassinations, the massacres and other acts of serious violence which occurred in and after October 1993. They note that the Commission considers that it is not in a position to identify by name the persons who should be brought to justice for those acts.
>
> "The members of the Council have also taken note of the recommendations made by the Commission. They note the conclusion of the Commission that these recommendations cannot be implemented under the conditions prevailing in Burundi as described.
>
> "The members of the Council are of the view that, once conditions permit, the recommendations of the Commission should be given further consideration. They believe it is vital that measures to deal with the problem of impunity should be addressed in the context of a negotiated political settlement in Burundi, as called for in Council resolution 1072 (1996), for which regional leaders, the Council and the wider international community are working urgently. They intend, therefore,

[28] S/1996/780.

[29] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/682.

to remain seized of the matter and to consider further action with regard to the report of the Commission in the light of developments in the country.

"The members of the Council note that the Commission was not able to function freely. They request you to convey to the Commission their appreciation for the arduous and valuable work carried out by Commission members in extremely difficult circumstances."

THE SITUATION IN ANGOLA[1]

Decisions

On 5 January 1996, the President of the Security Council addressed the following letter to the Secretary-General:[2]

"I have the honour to inform you that your letter dated 29 December 1995 concerning additions to the list of Member States contributing military personnel to the United Nations Angola Verification Mission III[3] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in the letter."

On 15 January 1996, the President of the Security Council addressed the following letter to the President of Angola:[4]

"I am writing on behalf of the members of the Security Council about the present situation in Angola. The international community is fully committed to the achievement of lasting peace and stability in Angola. The members of the Council are pleased to note your recent agreement on a revised timetable for the peace process and encourage you to carry out your commitments to that process in accordance with the agreed timetable. The members of the Council note that the two sides are moving towards agreement on the modalities for the participation of the União Nacional para a Independência Total de Angola in the integrated Angolan Armed Forces, but that questions such as the appointment of officers of the União Nacional para a Independência Total de Angola and specific issues for integration still need to be worked out and put into practice.

"The members of the Council have, however, asked me to express their serious concern about reports of continued violations of the ceasefire, about the slow progress to date on the practical implementation of many of your obligations assumed under the Lusaka Protocol[5] and about the failure to stick to earlier timetables. On their behalf, I appeal strongly to you to build upon the progress made in negotiations in the past few days and to do everything necessary to resolve the outstanding issues that are blocking the peace process in Angola and to restore fully the confidence of the international community.

"In this context, the members of the Council appreciate the recent steps by the Government of Angola, in particular, the release of prisoners, the repatriation of mercenaries, the withdrawal of its troops from the vicinity of quartering areas of the União Nacional para a Independência Total de Angola and the beginning of the process of quartering the rapid reaction police. They expect that the União Nacional para a Independência Total de Angola will take the necessary steps in response, by promptly resuming a large-scale, uninterrupted and verifiable process of quartering its troops in line with the revised timetable, releasing all prisoners and extending its full and unconditional cooperation to the United Nations Angola Verification Mission III on the ground, including the provision to the United Nations of all military and other information required by the Lusaka Protocol. They urge both parties to refrain from military activities or troop movements, to speed up the process of demining, particularly of all major roads, to cease the dissemination of hostile propaganda and to implement expeditiously the disengagement plan prepared by the Mission.

"The members of the Council also wish to convey to you their regret at the stalemate in the process of quartering and demobilization of troops of the União Nacional para a Independência Total de Angola, the slow pace of the integration of former combatants of the União Nacional para a Independência Total de Angola into the national army, as well as delays in the return of the Angolan Armed Forces to the nearest barracks, all of which are vital to the success of national reconciliation. They consider that you and the União Nacional para a Independência Total de Angola, by agreeing to the latest timetable, appear to be taking steps to reverse the

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993, 1994 and 1995.

[2] S/1996/7.

[3] S/1996/6.

[4] S/1996/31.

[5] *Official Records of the Security Council, Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1441.

dangerous trend towards mistrust, mutual hostility and elevated tension.

"The members of the Council recall the heavy commitment of the international community in supporting the Angolan peace process. They encourage you urgently to convene a meeting between you and Mr. Savimbi without conditions, which they believe could help to improve the climate of trust and give new impetus to the peace process.

"Let me reassure you that the members of the Council stand fully behind the efforts of the Secretary-General, his Special Representative and the three observer countries in promoting the peace process. In this regard, they particularly welcome the positive efforts of the President Soares, of Portugal, during his recent visit to Angola. The members of the Council look forward to hearing from Ambassador Albright, of the United States of America, your response to the concerns expressed in this letter. That response, as well as the evidence of concrete actions taken by you and the União Nacional para a Independência Total de Angola, will be critical factors as the Council considers the possible renewal of the mandate of the Mission next month."

On 15 January 1996, the President of the Security Council addressed the following letter to the President of the União Nacional para a Independência Total de Angola:[6]

"I am writing on behalf of the members of the Security Council about the present situation in Angola. The international community is fully committed to the achievement of lasting peace and stability in Angola. The members of the Council are pleased to note your recent agreement on a revised timetable for the peace process and encourage you to carry out your commitments to that process in accordance with the agreed timetable. The members of the Council note that the two sides are moving towards agreement on the modalities of the participation of the União Nacional para a Independência Total de Angola in the integrated Angolan Armed Forces, but that questions such as the appointment of officers of the União Nacional para a Independência Total de Angola and specific issues for integration still need to be worked out and put into practice.

"The members of the Council have, however, asked me to express their serious concern about reports of continued violations of the ceasefire, about the slow progress to date on the practical implementation of many of your obligations assumed under the Lusaka Protocol[5] and about the failure to stick to earlier timetables. On their behalf, I appeal strongly to you to build upon the progress made in negotiations in the past few days and to do everything necessary to resolve the outstanding issues that are blocking the peace process in Angola and to restore fully the confidence of the international community.

"In this context, the members of the Council appreciate the recent steps by the Government of Angola, in particular the release of prisoners, the repatriation of mercenaries, the withdrawal of its troops from the vicinity of quartering areas of the União Nacional para a Independência Total de Angola and the beginning of the process of quartering the rapid reaction police. They expect that the União Nacional para a Independência Total de Angola will take the necessary steps in response, by promptly resuming a large-scale, uninterrupted and verifiable process of quartering its troops in line with the revised timetable, releasing all prisoners and extending its full and unconditional cooperation to the United Nations Angola Verification Mission III on the ground, including the provision to the United Nations of all military and other information required by the Lusaka Protocol. They urge both parties to refrain from military activities or troop movements, to speed up the process of demining, particularly of all major roads, to cease the dissemination of hostile propaganda and to implement expeditiously the disengagement plan prepared by the Mission.

"The members of the Council also wish to convey to you their regret at the stalemate in the process of quartering and demobilization of troops of the União Nacional para a Independência Total de Angola, the slow pace of the integration of former combatants of the União Nacional para a Independência Total de Angola into the national army, as well as delays in the return of the Angolan Armed Forces to the nearest barracks, all of which are vital to the success of national reconciliation. They consider that you and the Government, by agreeing to the latest timetable, appear to be taking steps to reverse the dangerous trend towards mistrust, mutual hostility and elevated tension.

"The members of the Council recall the heavy commitment of the international community in supporting the Angolan peace process. They encourage you urgently to convene a meeting between you and President dos Santos without conditions, which they believe could help to improve the climate of trust and give new impetus to the peace process.

"Let me reassure you that the members of the Council stand fully behind the efforts of the Secretary-General, his Special Representative and the three observer countries in promoting the peace process. In this regard, they particularly welcome the positive efforts of the President Soares, of Portugal, during his recent visit to Angola. The members of the Council look forward to hearing from Ambassador Albright, of the United States of America, your response to the concerns expressed in this letter. That response, as well as the evidence of concrete actions taken by you and the Government, will be critical factors as the Council considers the possible renewal of the mandate of the Mission next month."

[6] S/1996/32.

At its 3628th meeting, on 6 February 1996, the Council decided to invite the representatives of Angola, Brazil, Lesotho, Malawi, New Zealand, Norway, Portugal, South Africa, Tunisia, Zambia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1996/75)".[7]

At its 3629th meeting, on 8 February 1996, the Council, in accordance with the decision taken at its 3628th meeting, decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1996/75)".[7]

Resolution 1045 (1996) of 8 February 1996

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General of 31 January 1996,[8]

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

Reiterating the importance it attaches to the full implementation by the Government of Angola and the União Nacional para a Independência Total de Angola of the "Acordos de Paz",[9] the Lusaka Protocol[5] and relevant Security Council resolutions,

Deeply concerned at delays in the implementation of the Lusaka Protocol and the lack of steady progress towards lasting peace,

Concerned at the deteriorating humanitarian situation in many parts of Angola and, in particular, at the lack of security guarantees and freedom of movement for the personnel of humanitarian organizations,

Emphasizing the importance of the reconstruction and rehabilitation of the Angolan national economy and its vital contribution to durable peace,

Recalling its resolution 976 (1995) of 8 February 1995 which stated, *inter alia*, the expectation that the United Nations Angola Verification Mission III would complete its mission by February 1997,

Noting that one half of the duration of the mission, as envisaged in resolution 976 (1995), has already elapsed, while implementation of the Lusaka Protocol is seriously behind schedule,

Noting also the agreement between the Government of Angola and the União Nacional para a Independência Total de Angola of 21 December 1995, and welcoming the efforts of the Secretary-General, his Special Representative and the three observer States to the Angolan peace process to facilitate the establishment of a revised timetable for implementing the tasks in the agreement between the two parties at Bailundo of 9 January 1996,

Welcoming the efforts by Member States, the Organization of African Unity and the international community as a whole to promote peace and security in Angola,

1. *Welcomes* the report of the Secretary-General of 31 January 1996;[8]

2. *Decides* to extend the mandate of the United Nations Angola Verification Mission III until 8 May 1996;

3. *Expresses deep concern* at the numerous delays in the implementation of the Lusaka Protocol,[5] reminds the Government of Angola and the União Nacional para a Independência Total de Angola of their obligations to consolidate the peace process, and, in this regard, urges them to maintain an effective ceasefire, conclude their military talks on integration of the armed forces, undertake active engagement in the demining process and commence the integration of personnel of the União Nacional para a Independência Total de Angola into administrative and governmental institutions in furtherance of the objective of national reconciliation;

4. *Welcomes* the positive steps taken by the Government of Angola in implementing its commitments, in particular the cessation of offensive operations, the withdrawal of its troops from offensive positions in the vicinity of quartering areas of the União Nacional para a Independência Total de Angola, the release of all prisoners registered by the International Committee of the Red Cross, the beginning of the quartering of the rapid reaction police and the termination of contracts of expatriate personnel as agreed;

5. *Expresses the expectation* that the Government of Angola will continue its progress with the goal of implementing fully its obligations under the Lusaka Protocol, including quartering of the rapid reaction police, deployment to barracks of the Angolan Armed Forces, the repatriation of expatriate personnel as agreed and the drawing up of a programme for disarming the civilian population;

6. *Expresses deep concern* at the slow pace of quartering and disarming troops of the União Nacional para a

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[7] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[8] Ibid., document S/1996/75.

[9] Ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22609.

Independência Total de Angola, notes the public commitment by the União Nacional para a Independência Total de Angola to quarter its troops in an expeditious and comprehensive fashion, and reiterates its conviction that the quartering of troops, as the first step in the transformation of the União Nacional para a Independência Total de Angola to a legitimate political party, is a crucial component of the peace process;

7. *Urges* the União Nacional para a Independência Total de Angola to proceed immediately with the orderly, large-scale and verifiable movement of its troops to the quartering areas at Vila Nova, Lunduimbali, Negage and Quibaxe, without further interruption, in strict adherence to the new timetable agreed by the parties on 9 January 1996, and in full cooperation with the Mission;

8. *Calls upon* the União Nacional para a Independência Total de Angola, following completion of this initial quartering, to proceed immediately with the orderly movement of all its troops to the other quartering areas and to conclude all quartering within the period of the renewed mandate;

9. *Also calls upon* the União Nacional para a Independência Total de Angola to extend full cooperation to the Mission and the Joint Commission at all levels, including the exchange of military information as required by the Lusaka Protocol;

10. *Further calls upon* the União Nacional para a Independência Total de Angola to release all remaining prisoners;

11. *Calls upon* the two parties, in particular the União Nacional para a Independência Total de Angola, to ensure the freedom of movement of people and goods throughout the country;

12. *Also calls upon* the two parties, in particular the União Nacional para a Independência Total de Angola, to cooperate fully with humanitarian organizations by granting them all the necessary security guarantees and freedom of movement to facilitate their work;

13. *Reminds* the Government of Angola and the União Nacional para a Independência Total de Angola of their obligation to cease the dissemination of hostile propaganda;

14. *Notes* the importance attached to the dissemination of impartial information by UNAVEM Radio, and calls upon the Government of Angola to provide all the facilities necessary for the independent functioning of UNAVEM Radio;

15. *Encourages* both the President of Angola and the President of the União Nacional para a Independência Total de Angola to meet, as soon as possible and thereafter on a regular basis, to promote mutual confidence and achieve the full, fair and speedy implementation of the Lusaka Protocol, including its provisions on national reconciliation and other outstanding issues;

16. *Commends* the Joint Commission for the positive role it continues to play in support of the implementation of the Lusaka Protocol;

17. *Commends also* the efforts of the Secretary-General, his Special Representative and the personnel of the Mission to facilitate the implementation of the Lusaka Protocol;

18. *Urges* the international community to continue to provide the assistance necessary to facilitate the rehabilitation and reconstruction of the Angolan national economy, provided that the two parties meet their obligations under the Lusaka Protocol;

19. *Reaffirms* the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) of 15 September 1993;

20. *Urges* all States, in particular those neighbouring Angola, to facilitate the process of national reconciliation in Angola and to take steps in their territory to facilitate full implementation of the provisions of the Lusaka Protocol;

21. *Requests* the Secretary-General to report by 7 March, 4 April and 1 May 1996 on the progress made by the Government of Angola and the União Nacional para a Independência Total de Angola in taking concrete steps towards meeting the goals and timetable agreed between them, and to keep the Council fully informed on developments in the situation on the ground, so that the Council may respond accordingly;

22. *Expresses its readiness*, in the light of recommendations by the Secretary-General and developments in Angola, to consider any further measures;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3629th meeting.

Decisions

At its 3657th meeting, on 24 April 1996, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1996/248 and Add.1)".[10]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[11]

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[10] Ibid., *Fifty-first Year, Supplement for April, May and June 1996.*

[11] S/PRST/1996/19.

"The Security Council has considered the report of the Secretary-General of 4 April 1996 on the United Nations Angola Verification Mission III pursuant to paragraph 21 of Council resolution 1045 (1996) of 8 February 1996.[12]

"The Council notes that some progress has been achieved during the past two months in the implementation of the Lusaka Protocol,[5] although it has been limited and has not fulfilled the hopes generated by the meeting between President dos Santos and Mr. Savimbi in Libreville, on 1 March 1996. The Council stresses the importance it attaches to the full implementation of the Protocol. The Council reminds President dos Santos and Mr. Savimbi of their commitments and urges them to take the necessary actions to move the peace process forward.

"The Council notes that the Uniaõ Nacional para a Independencia Total de Angola has quartered more than 20,000 of its troops, but expresses concern over delays in the quartering of troops and urges the União Nacional para a Independência Total de Angola to move expeditiously to achieve full quartering of its troops. The Council expresses concern about the quality of weapons surrendered by the União Nacional para a Independência Total de Angola and urges it to fulfil its commitment to turn over all of its arms, ammunition and military equipment as the quartering process continues. It reiterates that the quartering process is a crucial component of the peace process and stresses the need for quartering to be credible and fully verifiable. The Council expresses its concern at the statements made by Mr. Savimbi on 13 and 27 March 1996. In this context, the Council urges all Angolan leaders to consider carefully the effect of public statements on the climate of confidence necessary to nurture the peace process. It also urges the União Nacional para a Independência Total de Angola to release all remaining prisoners.

"The Council recognizes with satisfaction the progress by the Government of Angola in the implementation of its commitments under the Lusaka Protocol and the current timetable, and encourages the Government to continue this progress. The Council emphasizes the importance of completion of the calendar of actions for April, including, the continuation of the pull-back of government forces from areas near the quartering sites of the União Nacional para a Independência Total de Angola, the return of the rapid Reaction police to barracks, the resolution of the question of amnesty for officials of the União Nacional para a Independência Total de Angola and the adoption of a plan to disarm the civilian population, as well as the quartering of troops of the União Nacional para a Independência Total de Angola. The Council encourages the two parties to complete the integration of the União Nacional para a Independência Total de Angola into the Angolan Armed Forces.

"The Council also encourages the Government to grant the Mission the requisite facilities for the establishment of an independent United Nations radio.

"The Council stresses its concern at the extensive presence of landmines throughout Angola and expresses support for the efforts of the United Nations, the Government and non-governmental organizations to address this problem. The Council urges the Government and the União Nacional para a Independência Total de Angola to destroy their stockpiles of anti-personnel landmines. It encourages them to make a meaningful public gesture towards destruction of landmines which could have a positive effect on public confidence and the free circulation of people and goods.

"The Council notes with concern credible reports of continuing purchases and delivery of weapons to Angola and considers that such actions are contrary to paragraph 12 of resolution 976 (1995) of 8 February 1995 and undermine confidence in the peace process. The Council reaffirms the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) of 15 September 1993.

"The Council emphasizes that the ultimate responsibility for restoring peace rests with the Angolans themselves. The Council reminds the parties that extension of the mandate of the Mission will be based, to a large part, on progress by the two parties towards meeting the goals set by the Lusaka Protocol.

"The Council condemns the incident on 3 April 1996 which resulted in the death of two Mission personnel, the wounding of a third, and the death of a humanitarian assistance official, and reiterates the importance it attaches to the safety and security of Mission and humanitarian assistance personnel. The Council notes the cooperation offered by the Angolan Government and the União Nacional para a Independência Total de Angola with the investigation by the Mission of this deplorable incident.

"The Council reiterates its gratitude to the Special Representative of the Secretary-General, the staff of the Mission, and the three observer countries whose unflagging service to the cause of peace has been outstanding. The Council will continue to monitor the situation in Angola closely and requests the Secretary-General to continue to keep it informed of progress in the Angolan peace process."

At its 3662nd meeting, on 8 May 1996, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

[12] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, documents S/1996/248 and Add.1.

"The situation in Angola

"Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1996/328)".[10]

Resolution 1055 (1996)
of 8 May 1996

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General dated 30 April 1996,[13]

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

Reiterating the importance it attaches to the full and timely implementation by the Government of Angola and the União Nacional para a Independência Total de Angola of the "Acordos de Paz",[9] the Lusaka Protocol[5] and relevant Security Council resolutions,

Recognizing that although some progress has been made towards consolidating the peace process, the overall pace has been disappointingly slow,

Noting with concern the repeated delays in the implementation of successive timetables agreed to by the two parties, in particular the quartering of troops of the União Nacional para a Independência Total de Angola and the completion of talks on military issues regarding the integration of the armed forces,

Taking note that five months have elapsed since the first troops of the União Nacional para a Independência Total de Angola arrived in quartering areas, and expressing concern that prolonging the stay of troops in quartering areas puts strains on United Nations resources and on discipline within the ranks of the União Nacional para a Independência Total de Angola,

Noting the agreement reached between the President of Angola and the President of the União Nacional para a Independência Total de Angola in Libreville on 1 March 1996 on the formation of the unified armed forces by June 1996 as well as the establishment of the Government of Unity and National Reconciliation between June and July 1996,[14]

Recalling its resolution 976 (1995) of 8 February 1995 which stated, *inter alia*, the expectation that the United Nations Angola Verification Mission III would complete its mission by February 1997,

Emphasizing the need for adequate security for all United Nations and other international personnel, and awaiting the results of the investigation of the deaths on 3 April 1996 of two military observers of the Mission and a humanitarian assistance official,

Underlining the need for respect for human rights, and urging the Angolan parties to give greater attention to preventing and investigating incidents of human rights abuse,

Expressing concern at the extensive presence of landmines throughout Angola, and emphasizing the need for the political will to speed up demining efforts to enable the free circulation of people and goods and to restore public confidence,

Stressing the importance of the demilitarization of Angolan society, including the disarmament of the civilian population and the demobilization and social reintegration of ex-combatants,

Reiterating the importance of the reconstruction and rehabilitation of the Angolan national economy and its vital contribution to a durable peace,

Welcoming the efforts by Member States, in particular the three observer States to the Angolan peace process, the Organization of African Unity and the international community as a whole to promote peace and security in Angola,

1. *Welcomes* the report of the Secretary-General of 30 April 1996;[13]

2. *Decides* to extend the mandate of the United Nations Angola Verification Mission III until 11 July 1996;

3. *Expresses profound regret* at the overall slow pace of implementation of the peace process which is far behind schedule;

4. *Notes with deep concern* the failure of the União Nacional para a Independência Total de Angola to complete the quartering of all its troops by 8 May 1996, in accordance with resolution 1045 (1996) of 8 February 1996;

5. *Reiterates* that quartering and disarming of troops of the União Nacional para a Independência Total de Angola are crucial components of the peace process, which are fundamental to its success, and stresses that further procrastination cannot be justified and, if continued, could bring about the collapse of the whole peace process;

6. *Notes* the recent progress in the quartering of troops of the União Nacional para a Independência Total de Angola, and calls upon the União Nacional para a Independência Total de Angola to fulfil by June 1996 its obligation to complete the credible, uninterrupted and fully verifiable quartering of its troops and to turn over to the Mission all arms, ammunition and military equipment;

7. *Calls upon* the União Nacional para a Independência Total de Angola to release unconditionally and without further delay all remaining prisoners, in accordance with its obligations under the Lusaka Protocol;[5]

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[13] Ibid., document S/1996/328.

[14] Ibid., *Supplement for January, February and March 1996*, document S/1996/175.

8. *Underlines* the importance of the completion of the talks on military issues regarding the integration of the troops of the União Nacional para a Independência Total de Angola into the Angolan Armed Forces and the formation of a joint military command, and urges the two parties to resolve the remaining issues by 15 May 1996, as agreed in the Joint Commission's calendar of actions for May;

9. *Welcomes* the proclamation by the National Assembly of Angola of amnesty arrangements, as agreed in Libreville, for offences resulting from the Angolan conflict, in order to facilitate the formation of a joint military command;

10. *Urges* the Government of Angola and the União Nacional para a Independência Total de Angola to abide strictly by their obligations under the Lusaka Protocol as well as the commitments entered into in Libreville, on 1 March 1996, including the selection of the troops of the União Nacional para a Independência Total de Angola for incorporation into the Angolan Armed Forces and the completion of the formation of the unified armed forces by June 1996;

11. *Also urges* the Government of Angola and the União Nacional para a Independência Total de Angola to take all necessary steps for the deputies of the União Nacional para a Independência Total de Angola to take their places in the National Assembly for the beginning of the controlled movement of the União Nacional para a Independência Total de Angola troops out of quartering areas in accordance with the provisions of the Lusaka Protocol, for the incorporation of the União Nacional para a Independência Total de Angola personnel into the State administration, the Angolan Armed Forces and the national police, for the orderly transition of demobilized troops to civilian life, for moving constitutional issues forward in a spirit of national reconciliation, and for the formation of the Government of Unity and National Reconciliation by July 1996;

12. *Encourages* the President of Angola and the President of the União Nacional para a Independência Total de Angola to meet at the earliest opportunity within Angola to resolve all remaining issues;

13. *Welcomes* the progress made by the Government of Angola in quartering the rapid reaction police;

14. *Urges* the Government of Angola to continue to pull back its forces from areas near the quartering sites of the União Nacional para a Independência Total de Angola and to complete the return of the rapid reaction police to barracks under the monitoring of the Mission in accordance with the provisions of the Lusaka Protocol;

15. *Notes* the intention of the Joint Commission to study the plan for the disarmament of the civilian population, and urges the parties to begin its implementation without delay;

16. *Reminds* the Government of Angola and the União Nacional para a Independência Total de Angola of their obligation to cease the dissemination of hostile propaganda;

17. *Calls upon* the Government of Angola to provide the requisite facilities for the establishment of an independent United Nations radio;

18. *Also calls upon* the Government of Angola and the União Nacional para a Independência Total de Angola to signal their commitment to peace by destroying their stockpiles of landmines and to begin this process through joint public action;

19. *Reaffirms* the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) of 15 September 1993, and reiterates that continuing acquisition of weapons would be contrary to paragraph 12 of resolution 976 (1995) of 8 February 1995 and would undermine confidence in the peace process;

20. *Notes with concern* reports that the União Nacional para a Independência Total de Angola has impeded, on occasion, the work of the Mission, and reminds the parties, in particular the União Nacional para a Independência Total de Angola, to extend full cooperation to the Mission and the Joint Commission at all levels;

21. *Demands* that all parties and others concerned in Angola take all necessary measures to ensure the safety of United Nations and international personnel and premises and guarantee the safety and freedom of movement of humanitarian supplies throughout the country;

22. *Commends* the Joint Commission and the Armed Conflict Prevention Group for the positive role they continue to play in support of the implementation of the Lusaka Protocol;

23. *Commends also* the efforts of the Secretary-General, his Special Representative and the personnel of the Mission to facilitate the implementation of the Lusaka Protocol;

24. *Urges* Member States to provide the assistance necessary to facilitate the demobilization and social reintegration of ex-combatants;

25. *Urges* the international community to continue to provide the assistance necessary to facilitate the rehabilitation and reconstruction of the Angolan national economy, provided that the two parties meet their obligations under the Lusaka Protocol;

26. *Requests* the Secretary-General to report by 1 July 1996 on the progress made towards meeting the goals and timetable agreed between the two parties and to keep the Council fully informed on a regular basis on developments in the situation on the ground, in particular by providing a comprehensive briefing by 17 May 1996 on whether the two parties have fulfilled the tasks they have specified in the Joint Commission's calendar of actions for May to be carried out by 15 May 1996;

27. *Declares* that it will place special emphasis, during its future discussion of the mandate of the Mission, on the progress demonstrated by the parties;

28. *Reiterates its readiness*, in the light of recommendations by the Secretary-General and the state of affairs in Angola, to consider any further measures;

29. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3662nd meeting.

Decisions

On 22 May 1996, the President of the Security Council addressed the following letter to the President of Angola:[15]

"I am writing on behalf of the members of the Security Council about the present situation in Angola. The members of the Council were pleased to learn of progress towards the implementation of the Lusaka Protocol,[5] including the passage of the amnesty law, the progress made in quartering the rapid reaction police and the return to barracks of the Angolan Armed Forces. However, they wish to express their concern at the slow pace of the peace process and the fact that some of the troop movements appear to be only tactical redeployments.

"The members of the Council are also concerned that the military talks on the modalities for the integration of troops of the União Nacional para a Independência Total de Angola into the Angolan Armed Forces were not concluded on 15 May 1996 in accordance with the timetable agreed by all parties on the Joint Commission earlier this month. They understand that progress has been achieved in talks between the senior military leaders of the Government and the União Nacional para a Independência Total de Angola in recent days. They urge you to resolve the remaining military issues quickly. The members of the Council are concerned that the preparations by the Government of Angola for receiving troops of the União Nacional para a Independência Total de Angola into the Angolan Armed Forces might not be sufficiently advanced to complete integration of the armed forces by June 1996, as agreed in Libreville. They urge you to take all necessary steps to ensure that your delegates successfully conclude the military talks immediately and without further delay.

"Finally, the members of the Council hope to see progress soon on forming a Government of Unity and National Reconciliation as well as on plans to disarm the civilian population, and urge you to make every effort in this context."

On 22 May 1996, the President of the Security Council addressed the following letter to the President of the União Nacional para a Independência Total de Angola:[16]

"I am writing on behalf of the members of the Security Council to express their concern at the slow pace of the peace process. They have been informed that quartering of troops of the União Nacional para a Independência Total de Angola virtually stopped after the renewal of the mandate of the United Nations Angola Verification Mission III on 8 May 1996 and has only resumed in the past two days. This means that about half of the declared number of troops of the União Nacional para a Independência Total de Angola are yet to be quartered nine months before the expected completion of the Mission, as envisaged in paragraph 10 of resolution 976 (1995). The members of the Council expect the process of rapid quartering to resume immediately and to continue without interruption until completed by June 1996, in accordance with resolution 1055 (1996).

"The members of the Council need evidence of the steady and unswerving commitment of the parties to the peace process. The Council's acknowledgement in resolution 1055 (1996) of the efforts of the União Nacional para a Independência Total de Angola does not seem to have encouraged the sustained movement of its troops to the quartering areas. The members of the Council urge you to fulfil your recent unilateral commitment to quarter 50,000 troops at the latest by 15 June 1996 and to increase significantly the number of workable weapons and other military equipment turned over by the troops of the União Nacional para a Independência Total de Angola to the Mission.

"The members of the Council are also concerned that the military talks on the modalities for the integration of the troops of the União Nacional para a Independência Total de Angola into the Angolan Armed Forces were not concluded on 15 May 1996 in accordance with the timetable agreed by all parties on the Joint Commission earlier this month. They understand that progress has been achieved in talks between the senior military leaders of the Government and the União Nacional para a Independência Total de Angola in recent days. They urge you to resolve the remaining military issues quickly. You and President dos Santos agreed that the integration of the troops of the União Nacional para a Independência Total de Angola into the Angolan Armed Forces and the demobilization of those troops not inducted into the unified armed forces would be completed by June 1996. The members of the Council urge you to take all necessary steps to ensure that your delegates successfully conclude the military talks immediately so that this important aspect of the peace process may proceed without further delay.

"Finally, the members of the Council also hope to see progress soon on forming a Government of Unity and National Reconciliation and encourage you to make every effort in this regard."

At its 3679th meeting, on 11 July 1996, the Council decided to invite the representatives of Algeria, Angola, Brazil, Cape Verde, Malawi, Mozambique, Portugal, South Africa,

[15] S/1996/378.

[16] S/1996/379.

Tunisia, the United Republic of Tanzania and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1996/503)".[10]

Resolution 1064 (1996)
of 11 July 1996

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General of 27 June 1996,[17]

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

Reiterating the importance it attaches to full and timely implementation by the Government of Angola and the União Nacional para a Independência Total de Angola of the "Acordos de paz",[9] the Lusaka Protocol[5] and relevant Security Council resolutions,

Noting with approval the recent progress made towards consolidating the peace process, but reiterating that the overall pace has been slow,

Reminding the parties that if the peace process is to succeed they must show greater readiness to implement in good time their commitments and to act in the spirit of flexibility and compromise,

Welcoming the successful conclusion of military talks between the two parties, which paves the way for the formation of the unified armed forces,

Noting the agreement reached between the President of Angola and the leader of the União Nacional para a Independência Total de Angola on the establishment of the Government of Unity and National Reconciliation,

Emphasizing the necessity for adequate security for all United Nations and other international personnel,

Underlining the need for respect for human rights, and urging the Angolan parties to give greater attention to preventing and investigating incidents of human rights abuse,

Noting with approval the progress made towards free circulation of people and goods, and emphasizing the importance of continuation of demining efforts to make that free circulation possible and to restore public confidence,

Stressing the importance of the demilitarization of Angolan society, including disarmament of the civilian population and the demobilization and social reintegration of ex-combatants,

Reiterating the importance of the reconstruction and rehabilitation of the Angolan national economy and its vital contribution to a durable peace,

Welcoming the efforts by Member States, in particular the three observer States to the Angolan peace process, the Organization of African Unity, and the international community as a whole to promote peace and security in Angola,

1. *Welcomes* the report of the Secretary-General of 27 June 1996;[17]

2. *Decides* to extend the mandate of the United Nations Angola Verification Mission III until 11 October 1996;

3. *Acknowledges* the recent progress in consolidation of the peace process, but expresses regret that its implementation is still behind schedule;

4. *Commends* both parties for the adoption of the framework agreement on military matters and for beginning the incorporation of military personnel of the União Nacional para a Independência Total de Angola into the Angolan Armed Forces, and expresses its satisfaction with the positive role of the Joint Commission and the armed conflict prevention group in support of the implementation of the Lusaka Protocol;[5]

5. *Welcomes* the efforts of both parties in lifting checkpoints and opening major routes, emphasizes the importance of full completion of such efforts to ensure the free circulation of people and goods, stresses the importance of extending State administration throughout the country, and encourages the Government of Angola to use units of the newly integrated military forces to improve the security situation;

6. *Welcomes also* the progress made so far by the registration of over 52,000 troops of the União Nacional para a Independência Total de Angola in quartering areas, and calls upon the União Nacional para a Independência Total de Angola to complete the credible and fully verifiable quartering of all its troops, in accordance with the timetable of the Joint Commission, and hand over to the Mission all arms, in particular heavy weapons, ammunition and military equipment, without which the quartering process will not be complete;

7. *Reiterates* that quartering and disarming of troops of the União Nacional para a Independência Total de Angola are crucial components of the peace process which are fundamental to its success;

8. *Urges* the União Nacional para a Independência Total de Angola to make available for duty, as agreed by the Joint Commission, the Generals and other high ranking military officers designated to enter the Angolan Armed

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[17] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/503.

Forces, as well as the officials of the União Nacional para a Independência Total de Angola designated to take up posts in the State administration at the national, provincial and local levels;

9. *Commends* the Government of Angola for the promulgation of the Amnesty Law, for the quartering of the rapid reaction police, and for the continuing withdrawal of the Angolan Armed Forces to barracks, and urges the Government to take the required corrective measures regarding the withdrawal movements, as agreed with the Mission, and to reach agreement with the Mission on remaining withdrawal operations;

10. *Welcomes* the launching of the programme for the disarmament of the civilian population by the Government of Angola, and stresses the need for its full and effective implementation;

11. *Notes* the closing of eight out of fifteen quartering areas of the União Nacional para a Independência Total de Angola for the induction of additional troops, requests the Government of Angola to prepare a programme for phased demobilization and social reintegration of ex-combatants, and calls upon both parties and the international community to extend their full cooperation and support to that end;

12. *Urges* the Government of Angola and the União Nacional para a Independência Total de Angola to take all necessary steps for completion of the formation of the national armed forces, in particular the establishment of integrated headquarters, for the planned movement of troops of the União Nacional para a Independência Total de Angola out of quartering areas in accordance with the provisions of the Lusaka Protocol and for the orderly transition of demobilized troops to civilian life;

13. *Also urges* the Government of Angola and the União Nacional para a Independência Total de Angola to take all necessary steps for all elected members of Parliament to take their seats in the National Assembly, for moving constitutional issues forward in a spirit of national reconciliation, for the formation of the Government of Unity and National Reconciliation and for the incorporation of the União Nacional para a Independência Total de Angola personnel into the State administration, the Angolan Armed Forces and the national police;

14. *Encourages* the President of Angola and the leader of the União Nacional para a Independência Total de Angola to meet at the earliest opportunity within Angola to resolve all remaining issues;

15. *Notes* the progress made in the area of demining, encourages both parties to intensify their demining efforts, and stresses the need for continued commitment to peace by destruction of stockpiles of landmines;

16. *Notes also* the reduction in the intensity and frequency of hostile propaganda, and reminds the parties of their obligation to cease the dissemination of all hostile propaganda with a view to promoting a spirit of tolerance, coexistence and mutual trust;

17. *Urges* the Government of Angola to provide the requisite facilities for the establishment of the independent United Nations radio, and also urges the União Nacional para a Independência Total de Angola to finalize the transformation of its radio station *Vorgan* into a non-partisan station;

18. *Reaffirms* the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) of 15 September 1993, and notes with concern that the failure by States, in particular those neighbouring Angola, to do so is inconsistent with the peace process and undermines economic recovery;

19. *Reiterates* that continuing acquisition of weapons would be contrary to paragraph 12 of resolution 976 (1995) of 8 February 1995 and would undermine confidence in the peace process;

20. *Condemns* the use of mercenaries;

21. *Demands* that all parties and others concerned in Angola take all necessary measures to ensure the safety of United Nations and other international personnel and premises and to guarantee the safety and freedom of movement of humanitarian supplies throughout the country, and reminds the parties to extend full cooperation to the Mission at all levels;

22. *Strongly urges* Member States to provide promptly the financial resources necessary to facilitate the demobilization and social reintegration of ex-combatants through the United Nations consolidated inter-agency appeal for Angola;

23. *Urges* the international community to fulfil expeditiously its pledges to provide assistance to facilitate the rehabilitation and reconstruction of the Angolan national economy and the resettlement of displaced persons, stresses the importance of such assistance at this time in order to consolidate the gains in the peace process, and calls upon the two parties to meet their obligations under the Lusaka Protocol in order to create the necessary stability for economic recovery;

24. *Commends* the efforts of the Secretary-General, his Special Representative, and Mission personnel, and expresses confidence in their abilities to continue to facilitate the implementation of the Lusaka Protocol;

25. *Requests* the Secretary-General to report by 1 October 1996 on the progress made towards meeting the goals and timetable agreed between the two parties and to keep the Council fully informed on a regular basis on developments in the situation on the ground, in particular by providing a comprehensive briefing by the third week of August on whether the two parties have fulfilled the task of forming the Government of Unity and National Reconciliation;

26. *Declares* that it will place special emphasis, during its future discussion of the mandate of the Mission, on the progress demonstrated by the parties;

27. *Reminds* the Government of Angola and the União Nacional para a Independência Total de Angola of its

resolution 976 (1995) which stated, *inter alia*, the expectation that the Mission would complete its mission by February 1997;

28. *Reiterates* its readiness, in the light of recommendations by the Secretary-General and the state of affairs in Angola, to consider any further measures;

29. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3679th meeting.

Decisions

At its 3702nd meeting, on 10 October 1996, the Security Council decided to invite the representatives of Algeria, Angola, Brazil, Burundi, Cape Verde, Costa Rica, Cuba, India, Ireland (on behalf of the States members of the European Union and Cyprus, the Czech Republic, Estonia, Hungary, Malta, Romania and Slovenia), Lesotho, Malaysia, Malawi, Mali, Mozambique, Nicaragua, Nigeria, Portugal, Tunisia, Zambia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Progress report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1996/827);[18]

"Letter dated 7 October 1996 from the Permanent Representative of Zimbabwe to the United Nations addressed to the President of the Security Council (S/1996/832)".[18]

At its 3703rd meeting, on 11 October 1996, the Council considered the item discussed at its 3702nd meeting.

Resolution 1075 (1996) of 11 October 1996

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General of 4 October 1996,[19]

Welcoming the Summit of the Southern African Development Community Organ on Politics, Defence and Security, which took place in Luanda on 2 October 1996, and noting the communiqué issued at that time,[20]

Welcoming also the ministerial delegation of the Southern African Development Community Organ on Politics, Defence and Security to the Security Council to participate in its consideration of the situation in Angola,

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

Reiterating the importance it attaches to full implementation by the Government of Angola and the União Nacional para a Independência Total de Angola of the "Acordos de Paz",[9] the Lusaka Protocol[5] and relevant Security Council resolutions,

Underlining the need for respect for human rights, and stressing the need for the Angolan parties to give greater attention to preventing incidents of human rights abuse and investigating alleged human rights violations,

Emphasizing the importance of a continued and effective United Nations presence in Angola with a view to fostering the peace process and advancing the full implementation of the "Acordos de Paz" and the Lusaka Protocol,

Welcoming the efforts of the Secretary-General, his Special Representative and personnel of the United Nations Angola Verification Mission III, the three observer States to the Angolan peace process, the Organization of African Unity, the Southern African Development Community, and the international community as a whole, and encouraging them to continue their efforts to promote peace and security in Angola,

1. *Welcomes* the report of the Secretary-General of 4 October 1996;[19]

2. *Expresses deep concern* at the lack of significant progress in the peace process over the past three months;

3. *Expresses concern* that the protracted delay in the beginning of the demobilization of personnel of the União Nacional para a Independência Total de Angola from the quartering areas has set the process behind schedule so that progress will be made more difficult by the onset of the rainy season;

4. *Stresses* that it is imperative that the personnel of the União Nacional para a Independência Total de Angola be moved rapidly from the quartering areas, in the light of the strains which their prolonged presence in quartering areas is placing on the political process, on morale in the camps and on United Nations finances, and in the light of the need to reintegrate expeditiously into the civilian community those not selected for incorporation into the Angolan Armed Forces;

5. *Emphasizes* that continuing delays and unfulfilled promises, in particular on the part of the União Nacional para a Independência Total de Angola, in implementing the successive timetables for the completion of key military and political issues are no longer acceptable;

6. *Welcomes* the efforts of the Government of Angola to implement the provisions of the Lusaka Protocol,[5] and encourages the Government of Angola to continue making progress in that direction;

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[18] Ibid., *Supplement for October, November and December 1996.*

[19] Ibid., document S/1996/827.

[20] Ibid., document S/1996/841, annex.

7. *Acknowledges* as positive steps the arrival in Luanda of generals of the União Nacional para a Independência Total de Angola for duty in the Angolan Armed Forces, the registration of over 63,000 troops of the União Nacional para a Independência Total de Angola in quartering areas, the surrender of additional heavy weapons in September, the selection of approximately 10,000 troops of the União Nacional para a Independência Total de Angola for incorporation into the Angolan Armed Forces, the beginning of the demobilization of under-age personnel on 24 September 1996 and the submission by the União Nacional para a Independência Total de Angola of its proposal regarding the special status of its leader;

8. *Decides* to extend the mandate of the United Nations Angola Verification Mission III until 11 December 1996;

9. *Welcomes* the Summit of the Southern African Development Community Organ on Politics, Defence and Security, which took place in Luanda on 2 October 1996, regrets the failure of the leader of the União Nacional para a Independência Total de Angola to attend the Summit and seize the opportunity for a more rapid advancement of the process, and expresses support for the continuing efforts of the heads of State and Government of the Southern African Development Community to accelerate the peace process in Angola;

10. *Urges* the President of Angola and the leader of the União Nacional para a Independência Total de Angola to meet at the earliest opportunity in Angola to resolve all outstanding issues;

11. *Expresses the expectation* that the Government of Angola and the União Nacional para a Independência Total de Angola will, without delay and in a spirit of mutual cooperation, uphold strictly their obligations under the Lusaka Protocol and the commitments they entered into at the meeting between the President of Angola and the leader of the União Nacional para a Independência Total de Angola in Libreville on 1 March 1996;

12. *Expresses deep disappointment* with the União Nacional para a Independência Total de Angola for delaying the full implementation of the Lusaka Protocol, underlines the importance it attaches to the União Nacional para a Independência Total de Angola fulfilling its commitments, reaffirmed at its Third Extraordinary Congress held at Bailundo from 20 to 27 August 1996, to complete its transformation from an armed opposition to a political party, and, to this end, calls upon the União Nacional para a Independência Total de Angola immediately to fulfil the following tasks enumerated in the "Mediation Document" formulated by the Special Representative of the Secretary-General in consultation with the representatives of the observer States and called for by the Lusaka Protocol:

(*a*) To complete substantially the selection of 26,300 soldiers of the União Nacional para a Independência Total de Angola for incorporation into the Angolan Armed Forces;

(*b*) To stem the flow of deserters from quartering areas and to continue to return those soldiers who have deserted;

(*c*) To register in the quartering areas policemen of the União Nacional para a Independência Total de Angola who have remained in the areas vacated by the military forces of the União Nacional para a Independência Total de Angola;

(*d*) To dismantle all command posts of the military forces of the União Nacional para a Independência Total de Angola;

(*e*) To issue a formal, written declaration that all soldiers of the União Nacional para a Independência Total de Angola have been quartered and that the União Nacional para a Independência Total de Angola has no more weapons and military equipment in its possession, in order to remove any obstacles to the extension of State administration throughout Angola;

(*f*) To cooperate fully with the Mission and the Joint Commission in the extension of State administration throughout Angola;

(*g*) To make available other generals and high-ranking military officers for duty in the Angolan Armed Forces, as well as the officials of the União Nacional para a Independência Total de Angola designated to take up posts in the State administration at the national, provincial and local levels;

(*h*) To return all elected deputies to the National Assembly;

(*i*) To cease interference with United Nations aircraft flights and with mine-clearing activities;

(*j*) To cooperate in good faith with the Government of Angola to finalize the transformation of its radio station into a non-partisan station;

(*k*) To complete the training of personnel of the União Nacional para a Independência Total de Angola for the protection of its leaders;

(*l*) To establish the free circulation of people and goods;

13. *Expresses its readiness* to consider the imposition of measures, including, those specifically mentioned in paragraph 26 of resolution 864 (1993) of 15 September 1993, unless, by 20 November 1996, the Secretary-General has reported that the União Nacional para a Independência Total de Angola has made substantial and genuine progress in fulfilling its tasks in the "Mediation Document" and its commitments under the Lusaka Protocol;

14. *Welcomes* the continuation of the programme for the disarmament of the civilian population by the Government of Angola, and stresses the need for its full and effective implementation, including disarmament of the Civilian Defence Corps;

15. *Urges* the Government of Angola and the União Nacional para a Independência Total de Angola to take all

necessary steps for completion of the formation of the Angolan Armed Forces, in particular the establishment of integrated headquarters, for the planned and orderly movement of personnel of the União Nacional para a Independência Total de Angola from the quartering areas in accordance with the Lusaka Protocol, for the orderly transition of demobilized troops to civilian life, for all elected members of Parliament to take their seats in the National Assembly, for constitutional issues to move forward in the spirit of national reconciliation, for the formation of a Government of Unity and National Reconciliation, and for the incorporation of the personnel of the União Nacional para a Independência Total de Angola into the Government, the military, and the Angolan national police, without the imposition of undue qualifications;

16. *Reiterates its concern* over the acquisition of weapons contrary to paragraph 12 of resolution 976 (1995) of 8 February 1995, which undermines confidence in the peace process;

17. *Reaffirms* the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993), calls upon all States to take the necessary actions to implement the provisions of paragraphs 19 to 25 of resolution 864 (1993) vigorously and strictly, and expresses deep concern that the failure by States, especially those neighbouring Angola, to do so is inconsistent with the peace process and undermines economic recovery;

18. *Demands* that all parties and others concerned in Angola take all necessary measures to ensure the safety of United Nations and other international personnel and premises and to guarantee the safety and freedom of movement of humanitarian supplies throughout the country;

19. *Condemns* the actions by the União Nacional para a Independência Total de Angola with regard to United Nations aircraft flights on 8, 15 and 21 September 1996, and reminds the parties to extend full cooperation to the Mission at all levels;

20. *Expresses regret* for the casualties caused to Mission troops by landmines, expresses serious concern about interference by the União Nacional para a Independência Total de Angola with mine-clearing activities, calls upon both parties to intensify their demining efforts, and stresses the need for continued commitment to peace by destruction of stockpiles of landmines;

21. *Strongly urges* Member States to provide promptly the financial resources necessary to facilitate the demobilization and social reintegration of ex-combatants through the United Nations consolidated inter-agency appeal for Angola;

22. *Urges* the international community to fulfil expeditiously its pledges to provide assistance to facilitate the rehabilitation and reconstruction of the Angolan national economy and the resettlement of displaced persons, and stresses the importance of such assistance at this time in order to consolidate the gains in the peace process;

23. *Notes* the intention of the Secretary-General to initiate the downsizing of military forces of the Mission by the end of December 1996 pursuant to resolution 976 (1995) which stated, *inter alia*, the expectation that the Mission would complete its mission by February 1997, and to submit recommendations regarding the role the United Nations should continue to play in Angola to consolidate the peace process, including his plans for further drawdown of formed military units of the Mission;

24. *Requests* the Secretary-General to report by 20 November 1996 and by 1 December 1996 on the progress made towards consolidating the peace process in Angola;

25. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3703rd meeting.

Decision

At its 3722nd meeting, on 11 December 1996, the Security Council decided to invite the representatives of Angola, Brazil, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Portugal, Sao Tome and Principe, South Africa, the United Republic of Tanzania, Zambia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Progress report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1996/1000)".[18]

Resolution 1087 (1996) of 11 December 1996

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General of 2 December 1996,[21]

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

Reiterating the importance it attaches to full implementation by the Government of Angola and the União Nacional para a Independência Total de Angola of the "Acordos de Paz",[9] the Lusaka Protocol[5] and relevant Security Council resolutions,

Reminding the Government of Angola and the União Nacional para a Independência Total de Angola to uphold strictly, without delay, their obligations under the Lusaka Protocol and the commitments they entered into in Libreville and Franceville, Gabon,

[21] Ibid., document S/1996/1000.

Underlining the need for respect for human rights, and stressing the need for the Angolan parties to give greater attention to preventing incidents of human rights abuse, investigating alleged human rights violations and punishing those found guilty by due process of law,

Welcoming the efforts of the Secretary-General, his Special Representative and personnel of the United Nations Angola Verification Mission III, the three observer States to the Angolan peace process, the Organization of African Unity, Southern African Development Community and the international community as a whole, and encouraging them to continue their efforts to promote peace and security in Angola,

1. *Welcomes* the report of the Secretary-General of 2 December 1996;[21]

2. *Expresses concern* at the overall slow pace of the peace process, but notes some positive steps in its implementation;

3. *Decides* to extend the mandate of the United Nations Angola Verification Mission III until 28 February 1997;

4. *Approves* the recommendation of the Secretary-General to resume withdrawal of formed military units of the Mission during February 1997, as set forth in paragraphs 30 through 32 of his report of 2 December 1996, with the understanding that the pace of withdrawal will be commensurate with progress achieved in the quartering areas, in demobilization and in the extension of State administration, and that the first phase of withdrawal will begin on schedule in February 1997;

5. *Authorizes* the Secretary-General to commence the gradual and progressive withdrawal of formed military units of the Mission from individual quartering areas prior to February 1997 and to accelerate the withdrawal schedule subsequently, if former combatants vacate the quartering areas in accordance with the Lusaka Protocol[5] and other factors are conducive to withdrawal, without putting at risk the successful completion of the peace process;

6. *Stresses* that both parties must immediately begin to cooperate on integrating selected officers and troops of the União Nacional para a Independência Total de Angola into the Angolan Armed Forces and on demobilizing those remaining in the quartering areas, and underlines the need for the Government of Angola to make available all necessary funds it has pledged and to speed up the processing of demobilization certificates and other administrative matters;

7. *Reminds* Member States that the need has now become urgent for the financial resources necessary to facilitate the demobilization and social reintegration of ex-combatants through the United Nations consolidated inter-agency appeal for Angola;

8. *Calls upon* the União Nacional para a Independência Total de Angola to cooperate with the Government of Angola in its immediate task of creating integrated Angolan Armed Forces and police units which would begin, in the spirit of the Lusaka Protocol and monitored by the Mission, the gradual, orderly and peaceful extension of State administration into areas formerly occupied by the União Nacional para a Independência Total de Angola;

9. *Urges* the Government of Angola to avoid offensive military operations which go beyond those strictly necessary for the restoration and maintenance of law and order in the areas formerly occupied by the União Nacional para a Independência Total de Angola;

10. *Recalls* the need for the President of Angola and the President of the União Nacional para a Independência Total de Angola to meet inside Angola at the earliest opportunity, and calls upon both parties to move rapidly on the political steps towards national reconciliation, including the assumption of their posts by the deputies and officials of the União Nacional para a Independência Total de Angola, followed by the establishment of a Government of Unity and National Reconciliation prior to 31 December 1996;

11. *Urges* the two parties to reach agreement on the special status of the President of the União Nacional para a Independência Total de Angola as the President of the largest opposition party before 31 December 1996, without linkage of that issue to the formation of a Government of Unity and National Reconciliation;

12. *Calls upon* the President of the União Nacional para a Independência Total de Angola to travel to Luanda for the creation of the Government of Unity and National Reconciliation and thereafter to maximize the amount of time spent in Luanda in order to enhance confidence in the country's democratic institutions and the irreversibility of the peace process;

13. *Welcomes* the continuation of the programme for the disarmament of the civilian population by the Government of Angola, and stresses the need for its full and more effective implementation, including disarmament of the Civilian Defence Corps;

14. *Reiterates its concern* over the acquisition of weapons contrary to paragraph 12 of resolution 976 (1995) of 8 February 1995, while the peace process is under way;

15. *Reaffirms* the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) of 15 September 1993, calls upon all States to take the necessary actions to implement the provisions of paragraphs 19 to 25 of resolution 864 (1993) vigorously and strictly, and expresses deep concern that the failure by States, especially those neighbouring Angola, to do so is inconsistent with the peace process and undermines economic recovery;

16. *Demands* that all parties and others concerned in Angola take all necessary measures to ensure the safety of personnel and premises of United Nations and other international bodies, including non-governmental organizations, and to guarantee the safety and freedom of movement of humanitarian supplies throughout the country;

17. *Calls upon* both parties to intensify their demining efforts, reiterates the need for continued commitment to peace by destruction of stockpiles of landmines monitored and verified by the Mission, and expresses support for various United Nations demining activities in Angola, including plans aimed at enhancing national demining capacity;

18. *Urges* the Government of Angola and the União Nacional para a Independência Total de Angola to remove all illegal checkpoints that constitute obstacles to the free circulation of people and goods throughout the country;

19. *Urges* the international community to fulfil expeditiously its pledges to provide assistance to facilitate the rehabilitation and reconstruction of the Angolan national economy and the resettlement of displaced persons, and stresses the importance of such assistance at this time in order to consolidate the gains in the peace process;

20. *Requests* the Secretary-General to continue planning for a follow-on United Nations presence along the lines described in paragraph 33 of his report of 2 December 1996, which would include military observers, police observers, a political component, human rights monitors and a Special Representative, with the aim of maintaining a limited United Nations presence in Angola, and to report thereon no later than 10 February 1997;

21. *Expresses its readiness* to consider, in that context, the possibility of sending a Security Council mission to Angola before the expiry of the mandate of the Mission;

22. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3722nd meeting.

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

The situation in Croatia[1]

Decisions

At its 3617th meeting, on 8 January 1996, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report on the situation of human rights in Croatia pursuant to Security Council resolution 1019 (1995) (S/1995/1051)".[2]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

"The Security Council has considered the report of the Secretary-General of 21 December 1995 submitted pursuant to its resolution 1019 (1995) of 9 November 1995 on Croatia,[4] in particular the humanitarian situation and human rights violations described therein.

"The Council strongly condemns the violations of international humanitarian law and human rights in the former sectors North and South in the Republic of Croatia, as described in the report of the Secretary-General, including killings of several hundreds of civilians, systematic and widespread looting and arson and other forms of destruction of property. The Council expresses its deep concern that there is a considerable discrepancy between the number of perpetrators that have so far been brought to justice and the number of reported violations of international humanitarian law and human rights. The Council urges the Government of the Republic of Croatia to make every effort to arrest all perpetrators and bring them to trial promptly.

"The Council is disturbed by the humanitarian and security situation of the mostly elderly Serb population who have remained in the former sectors in the Republic of Croatia. The Council is gravely concerned at the information contained in the report on continuing extensive harassment and intimidation, looting of property and other forms of abuse. It reaffirms once again its demand that the Government of the Republic of Croatia take urgent measures to stop all such acts immediately and calls upon the Government to provide urgently needed food, medical assistance and proper shelter to the Serb population.

"The Council reaffirms that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts. It recalls with dismay the failure to date of the Government of the

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993 and 1995.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995.*

[3] S/PRST/1996/2.

[4] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1051.

Republic of Croatia to transfer to the custody of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to its resolution 827 (1993), persons indicted by the International Tribunal, and expresses its concern at the recent appointment of one of those indicted to a position in the Croatian Army. The Council reiterates that all States must cooperate fully with the International Tribunal and its organs.

"The Council expresses its deep concern at the situation of the refugees from the Republic of Croatia who wish to return. The Council shares the view of the Secretary-General that the rights of the members of the Serb population who fled during the military operation to return to their homes in safety and dignity are being severely curtailed by the absence of constructive measures to facilitate their return. The Council reaffirms its demand that the Government of the Republic of Croatia respect fully the rights of the members of the local Serb population, including their right to remain, leave or return in safety, and demands that the Government create conditions conducive to the return of those persons and urgently establish procedures to facilitate the processing of requests by persons wishing to return. It also urges the Government of the Republic of Croatia to refrain from any measure which would adversely affect the exercise of the right to return.

"The Council reaffirms its call upon the Republic of Croatia to lift any time limits placed on the return of refugees to reclaim their property. It notes the decision of the Government of the Republic of Croatia of 27 December 1995 to suspend the deadline set in the relevant Croatian law as a step in the right direction. The Council will follow closely whether the Republic of Croatia will lift any such time limit in a definitive manner.

"The Council takes note with appreciation of the decision of the Government of the Republic of Croatia of 30 December 1995 to suspend criminal proceedings against and release 455 local Serbs detained on suspicion of armed rebellion. The Council calls upon the Government of the Republic of Croatia to take appropriate measures to ensure that the right to a fair trial of those Serbs who remained and have been arrested and accused of war crimes or armed rebellion is safeguarded.

"The Council affirms that it is necessary to ensure that the rights of persons belonging to the Serb minority are adequately safeguarded in the legal and constitutional framework of the Republic of Croatia. It urges the Government of the Republic of Croatia to rescind its decision to suspend several articles of the 'Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities in the Republic of Croatia' as described in the report of the Secretary-General. The Council stresses that strict respect for the rights of persons belonging to the Serb minority will also be of great importance to the implementation of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium of 12 November 1995.[5]

"The Council requests the Secretary-General to keep it regularly informed on the progress of measures taken by the Government of the Republic of Croatia to implement resolution 1019 (1995) and the demands set out in the present statement, requests the Secretary-General to report to it no later than 15 February 1996 on this matter and expresses its intention to act as appropriate.

"The Council will remain seized of the matter."

At its 3619th meeting, on 15 January 1996, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanović, at his request, to address the Council in the course of the discussion of the item.

Resolution 1037 (1996)
of 15 January 1996

The Security Council,

Recalling its earlier relevant resolutions, in particular its resolutions 1023 (1995) of 22 November 1995 and 1025 (1995) of 30 November 1995,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium are integral parts of the Republic of Croatia,

Stressing the importance it attaches to full respect for human rights and fundamental freedom for all in those territories,

Expressing its support for the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium between the Government of the Republic of Croatia and the local Serb community, signed on 12 November 1995,[5]

Having considered the report of the Secretary-General of 13 December 1995,[6]

Stressing the importance it places on mutual recognition among the successor States to the former Socialist Federal Republic of Yugoslavia, within their internationally recognized borders,

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[5] Ibid., document S/1995/951.

[6] Ibid., documents S/1995/1028 and Add.1.

Desiring to support the parties in their effort to provide for a peaceful settlement of their disputes and thus to contribute to the achievement of peace in the region as a whole,

Stressing the obligation of Member States to meet all their commitments to the United Nations in relation to the United Nations peacekeeping operations in the former Yugoslavia,

Determining that the situation in Croatia continues to constitute a threat to international peace and security,

Determined to ensure the security and freedom of movement of the personnel of the United Nations peacekeeping operation in the Republic of Croatia, and to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish for an initial period of twelve months a United Nations peacekeeping operation for the region referred to in the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium,[5] with both military and civilian components, under the name "United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium" ;

2. *Requests* the Secretary-General to appoint, in consultation with the parties and with the Security Council, a Transitional Administrator who will have overall authority over the civilian and military components of the Transitional Administration and who will exercise the authority given to the Transitional Administration in the Basic Agreement;

3. *Decides* that the demilitarization of the region, as provided in the Basic Agreement, shall be completed within thirty days from the date the Secretary-General informs the Council, based on the assessment of the Transitional Administrator, that the military component of the Transitional Administration has been deployed and is ready to undertake its mission;

4. *Requests* the Secretary-General to report monthly to the Council, the first such report to be submitted within one week after the date on which the demilitarization is scheduled to be completed pursuant to paragraph 3 above, regarding the activities of the Transitional Administration and the implementation of the Basic Agreement by the parties;

5. *Strongly urges* the parties to refrain from any unilateral actions which could hinder the handover from the United Nations Confidence Restoration Operation, which is known as UNCRO, to the Transitional Administration or the implementation of the Basic Agreement, and encourages them to continue to adopt confidence-building measures to promote an environment of mutual trust;

6. *Decides* that, no later than fourteen days after the date on which demilitarization is scheduled to be completed pursuant to paragraph 3 above, it will review whether the parties have shown a willingness to implement the Basic Agreement, taking into consideration the actions of the parties and information provided to the Council by the Secretary-General;

7. *Calls upon* the parties to comply strictly with their obligations under the Basic Agreement and to cooperate fully with the Transitional Administration;

8. *Decides* to reconsider the mandate of the Transitional Administration if at any time it receives a report from the Secretary-General that the parties have failed significantly to comply with their obligations under the Basic Agreement;

9. *Requests* the Secretary-General to report to the Council no later than 15 December 1996 on the Transitional Administration and the implementation of the Basic Agreement, and expresses its readiness to review the situation in the light of that report and to take appropriate action;

10. *Decides* that the military component of the Transitional Administration shall consist of a force with an initial deployment of up to 5,000 troops which will have the following mandate:

(*a*) To supervise and facilitate the demilitarization as undertaken by the parties to the Basic Agreement, according to the schedule and procedures to be established by the Transitional Administration;

(*b*) To monitor the voluntary and safe return of refugees and displaced persons to their home of origin in cooperation with the United Nations High Commissioner for Refugees, as provided for in the Basic Agreement;

(*c*) To contribute, by its presence, to the maintenance of peace and security in the region;

(*d*) Otherwise to assist in the implementation of the Basic Agreement;

11. *Decides also* that, consistent with the objectives and functions set out in paragraphs 12 to 17 of the report of the Secretary-General of 13 December 1995,[6] the civilian component of the Transitional Administration shall have the following mandate:

(*a*) To establish a temporary police force, define its structure and size, develop a training programme and oversee its implementation, and monitor the treatment of offenders and the prison system, as quickly as possible, as set out in paragraph 16 (*a*) of the report of the Secretary-General;

(*b*) To undertake tasks relating to civil administration as set out in paragraph 16 (*b*) of the report of the Secretary-General;

(*c*) To undertake tasks relating to the functioning of public services as set out in paragraph 16 (*c*) of the report of the Secretary-General;

(*d*) To facilitate the return of refugees as set out in paragraph 16 (*e*) of the report of the Secretary-General;

(*e*) To organize elections, to assist in their conduct, and to certify the results as set out in paragraph 16 (*g*) of the report of the Secretary-General and in paragraph 12 of the Basic Agreement;

(*f*) To undertake the other activities described in the report of the Secretary-General, including assistance in the coordination of plans for the development and economic reconstruction of the region, and those described in paragraph 12 below;

12. *Decides further* that the Transitional Administration shall also monitor the compliance of the parties with their commitment, as specified in the Basic Agreement, to respect the highest standards of human rights and fundamental freedoms, promote an atmosphere of confidence among all local residents irrespective of their ethnic origin, monitor and facilitate the demining of territory within the region and maintain an active public affairs element;

13. *Calls upon* the Government of the Republic of Croatia to include the Transitional Administration and the United Nations Liaison Office in Zagreb in the definition of "United Nations Peace Forces and Operations in Croatia" in the present status-of-forces agreement with the United Nations, and requests the Secretary-General to confirm urgently, and no later than the date referred to in paragraph 3 above, whether this has been done;

14. *Decides* that Member States, acting nationally or through regional organizations or arrangements, may, at the request of the Transitional Administration and on the basis of procedures communicated to the United Nations, take all necessary measures, including close air support, in defence of the Transitional Administration and, as appropriate, to assist in the withdrawal of the Transitional Administration;

15. *Requests* that the Transitional Administration and the multinational Implementation Force authorized by the Council in resolution 1031 (1995) of 15 December 1995 cooperate, as appropriate, with each other as well as with the High Representative;

16. *Calls upon* the parties to the Basic Agreement to cooperate with all agencies and organizations assisting in the activities related to the implementation of the Basic Agreement, consistent with the mandate of the Transitional Administration;

17. *Requests* all international organizations and agencies active in the region to coordinate closely with the Transitional Administration;

18. *Calls upon* States and international financial institutions to support and cooperate with efforts to promote the development and economic reconstruction of the region;

19. *Underlines* the relationship between the fulfilment by the parties of their commitments in the Basic Agreement and the readiness of the international community to commit financial resources for reconstruction and development;

20. *Reaffirms* that all States shall cooperate fully with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and its organs, in accordance with the provisions of resolution 827 (1993) of 25 May 1993 and the statute of the International Tribunal, and shall comply with requests for assistance or orders issued by a Trial Chamber under article 29 of the statute;

21. *Stresses* that the Transitional Administration shall cooperate with the International Tribunal in the performance of its mandate, including with regard to the protection of the sites identified by the Prosecutor and persons conducting investigations for the International Tribunal;

22. *Requests* the Secretary-General to submit for consideration by the Council at the earliest possible date a report on the possibilities for contributions from the host country in offsetting the costs of the operation;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3619th meeting.

Resolution 1038 (1996) of 15 January 1996

The Security Council,

Recalling its earlier relevant resolutions, in particular resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995 and 1025 (1995) of 30 November 1995,

Having considered the report of the Secretary-General of 13 December 1995,[6]

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia,

Noting the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia[7] which reaffirmed their agreement concerning the demilitarization of the Prevlaka peninsula, emphasizing the contribution that this demilitarization has made to the decrease of tension in the region, and stressing the need for the Republic of Croatia and the Federal Republic of Yugoslavia to agree on a settlement which would peacefully resolve their differences,

Stressing the importance it places on mutual recognition among the successor States to the former Socialist Federal Republic of Yugoslavia, within their internationally recognized borders,

Determining that the situation in Croatia continues to constitute a threat to international peace and security,

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[7] Ibid., *Forty-seventh Year, Supplement for October, November and December 1992*, document S/24476, annex.

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995[6] for a period of three months, to be extended for an additional period of three months upon a report by the Secretary-General that such extension would continue to contribute to the decrease of tension there;

2. *Requests* the Secretary-General to submit to the Council by 15 March 1996, for its early consideration, a report on the situation in the Prevlaka peninsula as well as on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement which would peacefully resolve their differences, and on the possibility that the existing mandate may be extended or that another international organization may assume the task of monitoring the demilitarization of the Prevlaka peninsula;

3. *Requests* the United Nations military observers and the multinational Implementation Force authorized by the Council in resolution 1031 (1995) of 15 December 1995 to cooperate fully with each other;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3619th meeting.

Decisions

On 17 January 1996, the President of the Security Council addressed the following letter to the Secretary-General:[8]

> "I have the honour to inform you that your letter dated 16 January 1996 concerning the appointment of Mr. Jacques Paul Klein as Transitional Administrator,[9] who will have overall authority over the civilian and military components of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium and will exercise the authority given to the Transitional Administration in the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium,[5] has been brought to the attention of the members of the Security Council. They agree with the decision contained in your letter."

At its 3626th meeting, on 31 January 1996, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Letter dated 26 January 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/66 and Add.1)".[10]

Resolution 1043 (1996) of 31 January 1996

The Security Council,

Recalling its resolution 1037 (1996) of 15 January 1996 establishing the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium,

Having considered the letter dated 26 January 1996 from the Secretary-General to the President of the Security Council,[11]

1. *Decides* to authorize, as part of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium, and in accordance with the provisions of resolution 1037 (1996), the deployment of one hundred military observers for a period of six months;

2. *Decides also* to remain seized of the matter.

Adopted unanimously at the 3626th meeting.

Decisions

On 13 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[12]

> "I have the honour to inform you that your letter dated 9 February 1996 concerning your intention to appoint Major General Jozef Schoups, of Belgium, as Force Commander of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium with effect from 1 March 1996[13] has been brought to the attention of the members of the Security Council. They agree with the decision contained in your letter."

On 15 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[14]

> "I have the honour to inform you that your report of 6 February 1996 concerning your intention to restructure the United Nations missions in Bosnia and Herzegovina

[8] S/1996/39.

[9] S/1996/38.

[10] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[11] Ibid., documents S/1996/66 and Add.1.

[12] S/1996/102.

[13] S/1996/101.

[14] S/1996/113.

and the Republic of Croatia[15] has been discussed by the members of the Security Council. They have taken note of your report with appreciation."

At its 3633rd meeting, on 23 February 1996, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Further report on the situation of human rights in Croatia pursuant to Security Council resolution 1019 (1995) (S/1996/109)".[10]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[16]

"The Security Council has considered the further report of the Secretary-General of 14 February 1996 submitted pursuant to its resolution 1019 (1995) on Croatia.[17]

"The Council recalls the statement by its President of 8 January 1996.[3] The Council acknowledges that the incidence of human rights violations has been greatly reduced. However, it expresses concern that isolated incidents of killings and other violations of human rights have been reported. The Council also acknowledges the significant progress made by the Croatian Government in alleviating the humanitarian plight of the mostly elderly Serb population who remain in the former sectors in the Republic of Croatia. The Council looks to the Croatian Government to ensure the security and well-being of that population and to ensure the provision of basic humanitarian assistance, including access to medical facilities, pension allowances and property. The Council also looks to the Croatian Government to pursue vigorously prosecutions against those suspected of past violations of international humanitarian law and human rights against the local Serb minority.

"The Council calls upon the Croatian Government to give due consideration to granting amnesty to local Serbs remaining in detention on charges arising from their alleged participation in the conflict.

"The Council reiterates that all States must cooperate fully with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and its organs, established pursuant to its resolution 827 (1993). It notes that Croatian legislation providing for full cooperation with the International Tribunal is reported to be imminent. The Council urges the Government of the Republic of Croatia to uphold its obligations with respect to the International Tribunal unreservedly and without delay.

"The Council remains deeply concerned at the situation of those refugees from the Republic of Croatia who wish to return. It condemns the fact that effective measures have so far not been taken in that respect. It calls upon the Croatian Government to ensure the expeditious processing of all requests from refugees. It underlines the fact that the exercise by members of the local Serb population of their rights, including their right to remain, leave or return to their homes in safety and dignity and reclaim possession of their property, cannot be made conditional upon an agreement on the normalization of relations between the Republic of Croatia and the Federal Republic of Yugoslavia. The Council demands that the Croatian Government take measures forthwith to ensure that those concerned may fully exercise these rights. The Council also calls upon the Croatian Government to rescind its earlier decision to suspend articles of the constitutional law affecting the rights of national minorities and to proceed with the establishment of a provisional human rights court. It reminds the Croatian Government once again that the promotion of strict respect for the rights of persons belonging to the Serb minority is relevant to the successful implementation of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, signed on 12 November 1995.[5]

"The Council welcomes and supports the Croatian Government's agreement to the establishment by the Organization for Security and Cooperation in Europe of a long-term mission with a view to monitoring respect for human rights throughout the Republic of Croatia. The Council pays tribute to the valuable work carried out by the United Nations Confidence Restoration Organization, which is known as UNCRO, and the European Community Monitoring Mission in this field over the past year.

"The Council requests the Secretary-General to keep it regularly informed and to report in any case no later than 20 June 1996, drawing *inter alia* on information available from other relevant United Nations bodies, including the Office of the United Nations High Commissioner for Refugees, and the European Community Monitoring Mission, on the progress of measures undertaken by the Government of the Republic of Croatia in the light of the present statement.

"The Council will remain seized of the matter".

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[15] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/83.

[16] S/PRST/1996/8.

[17] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/109.

On 28 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[18]

> "I have the honour to inform you that your letter dated 21 February 1996 concerning the appointment of Colonel Göran Gunnarsson, of Sweden, as Chief Military Observer of the United Nations Mission of Observers in Prevlaka[19] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

On 14 March 1996, the President of the Security Council addressed the following letter to the Secretary-General:[20]

> "The members of the Security Council have considered your report of 12 March 1996 pursuant to Council resolution 1038 (1996).[21]
>
> "The members of the Council note that, in the light of your view that the continued presence of the United Nations Mission of Observers in Prevlaka will contribute to the decrease of tension there, the mandate of the Mission will continue in accordance with paragraph 1 of resolution 1038 (1996).
>
> "The members of the Council request you to submit a further report on the issues referred to in paragraph 2 of resolution 1038 (1996), in good time before the expiration of the current mandate."

At its 3666th meeting, on 22 May 1996, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

> "Letter dated 20 May 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/363)".[22]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[23]

> "The Security Council has considered the letter dated 20 May 1996 from the Secretary-General to its President[24] in which he informed the Council of the assessment of the Transitional Administrator that the military component of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium had been deployed and was ready to undertake its mission of demilitarization of the region. That mission of demilitarization began on 21 May 1996.
>
> "The Council calls upon the parties to comply strictly with their obligations under the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, signed on 12 November 1995,[5] and to cooperate fully with the Transitional Administration. It stresses that they must refrain from any unilateral action which could hinder the implementation of the Basic Agreement, including the process of demilitarization.
>
> "The Council reminds the parties that the successful implementation of the Basic Agreement requires the respect by them of the highest level of internationally recognized human rights and fundamental freedoms. It calls upon the parties to continue to cooperate with the Transitional Administration in adopting confidence-building measures to promote an environment of mutual trust.
>
> "The Council calls upon the Government of the Republic of Croatia to grant amnesty to all persons who, either voluntarily or by coercion, served in the civil administration, military or police forces of the local Serb authorities in the former United Nations Protected Areas, with the exception of those who committed war crimes as defined in international law. It notes that the law on amnesty recently passed in the Republic of Croatia is a step in this direction. The Council calls upon the Government of the Republic of Croatia to make this amnesty comprehensive as soon as possible and stresses the importance such a measure would have for maintaining public confidence and stability during the demilitarization and demobilization process.
>
> "The Council underlines the key importance of attention to the need for economic reconstruction and rehabilitation of the region of Eastern Slavonia, Baranja and Western Sirmium and encourages Member States to contribute to this end.
>
> "The Council will remain seized of the matter and requests the Secretary-General to keep it regularly informed of developments in the situation."

At its 3677th meeting, on 3 July 1996, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

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[18] S/1996/143.

[19] S/1996/142.

[20] S/1996/191.

[21] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/180.

[22] Ibid., *Supplement for April, May and June 1996.*

[23] S/PRST/1996/26.

[24] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/363.

"The situation in Croatia

"Further report on the situation of human rights in Croatia pursuant to Security Council resolution 1019 (1995) (S/1996/456)".[22]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[25]

"The Security Council has considered the further report of the Secretary-General of 21 June 1996 submitted pursuant to its resolution 1019 (1995) on Croatia.[26]

"The Council is deeply concerned at the failure by the Croatian Government to take sufficient measures to safeguard the rights of the local Serb population and to ensure their safety and well-being. The Council is also deeply concerned at the Croatian Government's failure to promote conditions, including satisfactory procedures, facilitating the return of all Croatian Serbs who wish to do so. The Council strongly deplores such failure to act.

"The Council notes that the Croatian Government has begun to cooperate with international human rights mechanisms and that it has considered various initiatives for the protection of minority rights. Nevertheless, the Council underlines the fact that the Croatian Government must undertake determined and sustained efforts to ensure respect for and protection of the rights of Croatian Serbs and to provide for their safeguarding in the legal and constitutional framework of the Republic of Croatia, including by the reactivation of the relevant articles of its constitutional law. The Council reminds the Croatian Government that its obligation to promote respect for and protection of such rights cannot be made conditional upon other factors, including upon political negotiations with the Federal Republic of Yugoslavia.

"The Council expects the Croatian Government to take steps forthwith to comply with the demands contained in its resolution 1019 (1995) and in its presidential statements of 8 January,[3] 23 February[16] and 22 May 1996.[23]

"The Council reiterates that all States must cooperate fully with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and its organs, established pursuant to its resolution 827 (1993). It notes the cooperation by the Croatian Government with the International Tribunal to date and reminds the Croatian Government of its obligation to execute arrest warrants in respect of any person in its territory indicted by the Tribunal. The Council calls upon the Croatian Government, with due respect to the sovereignty, territorial integrity and political independence of Bosnia and Herzegovina, to use its influence with the Bosnian Croat leadership to ensure their cooperation with the International Tribunal.

"The Council will continue to follow this issue closely. It requests the Secretary-General to keep it regularly informed on measures undertaken by the Croatian Government in the light of the present statement, and to report in any case no later than 1 September 1996."

At its 3678th meeting, on 3 July 1996, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General pursuant to Security Council resolution 1043 (1996) (S/1996/472 and Add.1)".[22]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[27]

"The Security Council, in accordance with paragraph 6 of resolution 1037 (1996), has considered the report of the Secretary-General of 26 June 1996 on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium.[28]

"The Council notes that the implementation of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, signed on 12 November 1995,[5] is proceeding according to the timetable established by the Agreement. In particular it notes with appreciation that the demilitarization proceeded smoothly and was completed on 20 June 1996. It expresses its satisfaction at the cooperation that both parties have shown in this respect. It calls upon both sides to refrain from any action that might raise tension and to continue to cooperate closely with the Transitional Administration on all aspects of the Basic Agreement to maintain peace and security in the region. It expresses its readiness to consider favourably the extension of the mandate of the United Nations military observers in the Transitional Administration as recommended in the report.

"The Council expresses its satisfaction with the work already achieved by the Transitional Administration, in particular through its operational joint implementation committees, for the re-establishment of normal conditions of life for all the inhabitants of the region. The Council welcomes the efforts now in train to

[25] S/PRST/1996/29.

[26] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/456.

[27] S/PRST/1996/30.

[28] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, documents S/1996/472 and Add.1.

begin the return of displaced persons and refugees to their homes in the region. It notes that it is equally important that persons who fled from their homes in Western Slavonia and elsewhere in Croatia, in particular in the Krajina, should be permitted to return to their homes of origin. The Council calls upon both parties to cooperate fully with the Transitional Administration in that respect.

"The Council recalls the statement by its President of 22 May 1996.[23] The Council regrets that the Government of the Republic of Croatia has not yet taken steps to adopt a comprehensive amnesty law concerning all persons who, either voluntarily or by coercion, served in the civil administration, military or police forces of the local Serb authorities in the former United Nations Protected Areas, with the exception of those who committed war crimes as defined in international law. The Council urges that this action be taken as soon as possible and calls upon the Croatian Government to cooperate with the Transitional Administration to that end.

"The Council expresses its concern at the worsening economic situation in the region, particularly since the closure in April of the Djeletovci oilfields, which constitute the region's most important economic resource, and at the subsequent lack of revenue available to the local administration to meet salaries and other operating costs of the region. The Council urges the Government of the Republic of Croatia to cooperate closely with the Transitional Administration to identify and provide funding for the local administration and public services. It also underlines the importance of economic development in stabilizing the region.

"The Council expresses its support for the efforts of the Transitional Administration to establish and train a transitional police force which will have the primary responsibility for the maintenance of law and order, operating under the authority of the Transitional Administrator and monitored by the United Nations civilian police. The Council also supports the efforts of the Transitional Administration and the United Nations High Commissioner for Refugees to facilitate mine clearing for humanitarian purposes. It calls upon States and others concerned urgently to contribute in support of such activities.

"The Council commends the Transitional Administrator and all the personnel of the Transitional Administration for the impressive results they have achieved so far and expresses its full support for them.

"The Council will remain seized of the matter."

At its 3681st meeting, on 15 July 1996, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General pursuant to Security Council resolution 1038 (1996) (S/1996/502 and Add.1)".[22]

Resolution 1066 (1996)
of 15 July 1996

The Security Council,

Recalling its earlier relevant resolutions, in particular resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1025 (1995) of 30 November 1995 and 1038 (1996) of 15 January 1996,

Having considered the report of the Secretary-General of 27 June 1996,[29]

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia,

Noting the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia[7] which reaffirmed their agreement concerning the demilitarization of the Prevlaka peninsula, emphasizing the contribution that this demilitarization has made to the decrease of tension in the region, and stressing the need for the Republic of Croatia and the Federal Republic of Yugoslavia to agree on a settlement which would peacefully resolve their differences,

Stressing the importance it places on mutual recognition among the successor States to the former Socialist Federal Republic of Yugoslavia, within their internationally recognized borders,

Determining that the situation in Croatia continues to constitute a threat to international peace and security,

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995,[6] until 15 January 1997;

2. *Urges* the parties to abide by their mutual commitments and to continue their negotiations with a view to normalizing fully their bilateral relations, which are critical for the establishment of peace and stability throughout the region;

3. *Requests* the Secretary-General to submit to the Council by 5 January 1997, for its early consideration, a report on the situation in the Prevlaka peninsula as well as on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement which would peacefully resolve their differences;

4. *Encourages* the parties to adopt the practical options proposed by the United Nations military observers to reduce

[29] Ibid., documents S/1996/502 and Add.1.

tension, as referred to in the report of the Secretary-General of 27 June 1996;[29]

5. *Requests* the United Nations military observers and the multinational Implementation Force authorized by the Council in resolution 1031 (1995) of 15 December 1995 to continue to cooperate fully with each other;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3681st meeting.

Decision

At its 3686th meeting, on 30 July 1996, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General pursuant to Security Council resolution 1043 (1996) (S/1996/472 and Add.1)".[22]

Resolution 1069 (1996) of 30 July 1996

The Security Council,

Recalling its resolution 1037 (1996) of 15 January 1996 establishing the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium and its resolution 1043 (1996) of 31 January 1996 authorizing the deployment of military observers as part of the Transitional Administration,

Having considered the report of the Secretary-General of 26 June 1996,[28]

1. *Decides* to authorize, as part of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium and in accordance with the provisions of resolution 1037 (1996), the deployment of one hundred military observers for an additional period of six months, ending on 15 January 1997;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 3686th meeting.

Decisions

At its 3688th meeting, on 15 August 1996, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (S/1996/622)[30]

"Letter dated 2 August 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/632)[30]

"Note by the Secretary-General (S/1996/648)".[30]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[31]

"The Security Council has considered the report of the Secretary-General of 5 August 1996 on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium,[32] and the letter dated 2 August 1996 from the Secretary-General concerning the funding of the existing local administrative structures in the area of operations of the Transitional Administration.[33]

"The Council welcomes the progress made by the Transitional Administration in implementing the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, signed on 12 November 1995,[5] and in promoting the full and peaceful reintegration of the region of Eastern Slavonia into the Republic of Croatia. It stresses that the restoration and maintenance of the multi-ethnic character of Eastern Slavonia are important to international efforts to maintain peace and stability in the region of the former Yugoslavia as a whole. It reminds both parties of their obligation to cooperate with the Transitional Administration. It underlines the importance of economic rehabilitation of the region, the establishment of a transitional police force and the return of displaced persons and refugees to their homes in the region, as well as the importance of the promotion by the Government of Croatia of the return of displaced persons and refugees to their homes of origin elsewhere in the Republic of Croatia. It further underlines the importance of the holding of elections in accordance with the Basic Agreement, once the necessary conditions have been established.

"The Council reminds the Government of Croatia of its responsibility to cooperate with the Transitional Administration and to create conditions conducive to maintaining stability in the region. It calls upon the Government of Croatia to take the necessary action without further delay.

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[30] Ibid., *Supplement for July, August and September 1996.*

[31] S/PRST/1996/35.

[32] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996,* document S/1996/622.

[33] Ibid., document S/1996/632.

"The Council recalls the statements by its President of 22 May[23] and 3 July 1996[27] and again urges the Government of Croatia to adopt a comprehensive amnesty law concerning all persons who, voluntarily or by coercion, served in the civil administration, military or police forces of the local Serb authorities in the former United Nations Protected Areas, with the exception of those who committed war crimes as defined in international law. The Council notes with concern that the amnesty law and the action subsequently taken by the Government of Croatia, as described by the Secretary-General in his report of 5 August, have been insufficient to create confidence among the local Serb population in Eastern Slavonia. The Council notes the general agreement reached by President Tudjman and President Milosevic in Athens on 7 August 1996 that a general amnesty is an indispensable condition for the safe return of refugees and displaced persons. It expects this agreement to be followed up by corresponding concrete measures.

"The Council notes with appreciation the agreement reached by the Government of Croatia and the Transitional Administration on issues relating to the funding of public services on the territory administered by the Transitional Administration.[34] It notes, however, that this funding is not sufficient to cover all the costs of such services and it expects further funding to be made available by the Government of Croatia urgently and without conditions. It stresses the importance of ensuring a functioning civil administration so as to maintain stability in the region and help to ensure the fulfilment of the mission objectives of the Transitional Administration. The Council, having regard to its resolution 1037 (1996), also reminds the Government of Croatia of the need to contribute towards the costs of the operation of the Transitional Administration.

"The Council recalls that the Basic Agreement provides for a transitional period of twelve months which may be extended at most to another period of the same duration if so requested by one of the parties. It stresses the importance it attaches to the Transitional Administration being able to complete its mandated tasks, including the organization of elections as provided for in the Basic Agreement, promptly and in full. These tasks are, as the Secretary-General notes, the building blocks for the difficult process of reconciliation. To that end, the Council affirms its readiness to consider, at an appropriate time, extending the duration of the mandate of the Transitional Administration, on the basis of the Basic Agreement, its resolution 1037 (1996) and a recommendation from the Secretary-General.

"The Council expresses its appreciation to the Transitional Administrator and his staff and reaffirms its full support for the efforts of the Transitional Administrator.

"The Council will remain seized of the matter."

At its 3697th meeting, on 20 September 1996, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Further report on the situation of human rights in Croatia pursuant to Security Council resolution 1019 (1995) (S/1996/691)".[30]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[35]

"The Security Council has considered the report of the Secretary-General of 23 August 1996 submitted pursuant to Council resolution 1019 (1995) on Croatia.[36]

"The Council notes progress in the humanitarian and human rights situation in some areas. The Council regrets, however, that many of its previous requests have not been complied with by the Government of Croatia. Numerous incidents threatening the population in the formerly Serb-controlled areas are a continuing source of concern and could jeopardize the prospects for peaceful and substantial reintegration of refugees and displaced persons in Croatia.

"The Council commends the agreement between the Republic of Croatia and the Federal Republic of Yugoslavia, signed in Belgrade on 23 August 1996, and expects the commitments contained therein to be implemented.

"The Council recognizes steps taken by the Government of Croatia to reintegrate refugees and displaced persons into Croatia but urges the Government to expand its programme to accelerate the return of all such persons without preconditions or delay. The Council urges the Government of Croatia also to expand its humanitarian relief efforts, especially as winter approaches.

"The Council, in the statement by its President of 3 July 1996,[27] highlighted the need for the adoption of a comprehensive amnesty law, in cooperation with the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium. Since the report of the Secretary-General of 23 August 1996 which found no substantial progress in this regard since passage of the Croatian Government's amnesty law of 17 May 1996, the Republic of Croatia on 20 September 1996 enacted a new amnesty law. The Council welcomes this development as

[34] Ibid., document S/1996/648, annex.

[35] S/PRST/1996/39.

[36] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/691.

a step towards addressing the concerns outlined by the statement by its President on 3 July 1996 and emphasizes that such a law must be implemented without delay and in a fair and equitable manner, with full respect for the rights of the individual. The Council will follow such implementation closely. The Council notes that a comprehensive new amnesty law and its equitable application are also vital elements in preparing for elections in Eastern Slavonia and important factors in the successful completion of the mandate of the Transitional Administration.

"Despite some positive developments, the Council is deeply concerned that residents of the Krajina and Western Slavonia continue to suffer from inadequate security, including the danger of theft or assault at any time. The Council also notes with concern attacks and threats against those engaged in humanitarian relief activities and human-rights monitoring in the area. In particular, it deplores the reported involvement of Croatian uniformed military and police officials in acts of looting and harassment.

"The Council urges the Croatian authorities to act immediately to improve the security situation in those regions. It urges that Croatian officials ensure that members of the military and police refrain from criminal and other unacceptable behaviour and increase their efforts to protect the human rights of all persons present in Croatia, including the Serb population.

"The Council welcomes the recommendations made by the Secretary-General in his report for specific action which must be taken to improve the human rights situation in the Republic of Croatia, *inter alia*, in the framework of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium,[5] as part of the peace process towards a comprehensive political settlement in the region. In this context, the Council calls upon the Government of Croatia to expand investigations of crimes committed against the Serb population in 1995. The Council again calls upon the Government of Croatia to rescind its decision of September 1995 suspending certain constitutional provisions affecting the rights of national minorities, principally Serbs.

"The Council reminds the Government of Croatia of its obligation to cooperate with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and, in particular, to execute the arrest warrants issued by the International Tribunal regarding individuals under Croatian jurisdiction, including prominent accused persons known or believed to be in areas under its control, and to transfer to the Tribunal all indicted persons. In this context, the Council deplores the failure to date of the Republic of Croatia to execute the arrest warrants issued by the International Tribunal against individuals indicted by the Tribunal, in particular the Bosnian Croats referred to in the letter dated 16 September 1996 from the President of the Tribunal to the President of the Council,[37] and calls for the execution of those arrest warrants without delay.

"The Council recalls that no individual should be arrested and detained on the territory of the former Yugoslavia for serious violations of international humanitarian law until and unless the International Tribunal has reviewed the case and agreed that the warrant, order or indictment meets international legal standards.

"The Council will remain seized of the matter and requests that the Secretary-General continue to report on the situation, in any case no later than 10 December 1996."

At its 3712th meeting, on 15 November 1996, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (S/1996/883)".[38]

Resolution 1079 (1996)
of 15 November 1996

The Security Council,

Recalling all its relevant resolutions concerning the territories of Eastern Slavonia, Baranja and Western Sirmium of the Republic of Croatia, in particular its resolutions 1023 (1995) of 22 November 1995, 1025 (1995) of 30 November 1995, 1037 (1996) of 15 January 1996, 1043 (1996) of 31 January 1996 and 1069 (1996) of 30 July 1996,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium are integral parts of the Republic of Croatia,

Welcoming the success the United Nations Transitional Administration in Eastern Slavonia, Baranja and Western Sirmium has had in facilitating the peaceful return of the territories to the control of the Republic of Croatia,

Recalling that the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, signed on 12 November 1995 by the Government of the Republic of Croatia and the local Serb community,[5] requested the Security Council to establish a Transitional Administration to govern the region during the transitional period,

Recalling also that the Basic Agreement provided that the transitional period of twelve months may be extended at most

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[37] Ibid., document S/1996/763.

[38] Ibid., *Supplement for October, November and December 1996*.

to another period of the same duration if so requested by one of the parties,

Noting that the local Serb community has requested that the transitional period be extended by twelve months, as indicated by the Secretary-General in his report of 28 August 1996,[39]

Welcoming the report of the Secretary-General of 26 October 1996,[40] and noting in particular the recommendations of the Secretary-General that the mandate of the Transitional Administration should be extended by six months, until 15 July 1997, that early extension would avoid a period of pressure and political turmoil, and that the Council should consider at this time the need for a further six-month presence of the United Nations,

Determining that the situation in Croatia continues to constitute a threat to international peace and security,

Determined to ensure the security and freedom of movement of the personnel of the United Nations peacekeeping operations in the Republic of Croatia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Expresses its full support* for the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium, and calls upon the Government of the Republic of Croatia and the local Serb community to cooperate fully with the Transitional Administration and to fulfil all obligations specified in the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium[5] and all relevant Security Council resolutions;

2. *Calls upon* the Government of the Republic of Croatia and the local Serb community to cooperate with the Transitional Administration in creating the conditions and taking the other steps necessary for holding local elections in the region, in accordance with the Basic Agreement, the organization of which is the responsibility of the Transitional Administration;

3. *Reaffirms* the importance of full compliance by the parties with their commitments as specified in the Basic Agreement to respect the highest standards of human rights and fundamental freedoms and to promote an atmosphere of confidence among all local residents irrespective of their ethnic origin, and in this context, urges the Government of the Republic of Croatia to ensure respect for the rights of all national ethnic groups;

4. *Urges*, furthermore, the Republic of Croatia and the local Serb community to avoid actions which could lead to refugee movements, and, in the context of the right of all refugees and displaced persons to return to their homes of origin, reaffirms the right of all persons originating from the Republic of Croatia to return to their homes of origin throughout the Republic of Croatia;

5. *Emphasizes* the responsibility of both the Republic of Croatia and the local Serb community to improve the reliability and effectiveness of the transitional police force, in cooperation with the Transitional Administration and consistent with its mandate;

6. *Requests* the Secretary-General to keep the Council fully informed of developments and to report to the Council by 15 February 1997 and again by 1 July 1997 on the situation in the region;

7. *Decides* to maintain the United Nations presence in the region until the end of the extended transitional period as provided for in the Basic Agreement, and:

(*a*) Decides to extend the mandate of the Transitional Administration until 15 July 1997;

(*b*) Requests that as soon as possible after the successful holding of elections, and in no case later than his report of 1 July 1997, the Secretary-General provide to the Council for its immediate action his recommendations, in the light of the progress of the parties towards fulfilling the Basic Agreement, for the further United Nations presence, possibly a restructured Transitional Administration, consistent with the fulfilment of the Basic Agreement, for the six-month period beginning 16 July 1997;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3712th meeting.

Decisions

On 19 November 1996, the President of the Security Council addressed the following letter to the Secretary-General:[41]

> "I have the honour to inform you that your letter dated 14 November 1996 concerning the appointment of Colonel Harold Mwakio Tangai, of Kenya, as Chief Military Observer of the United Nations Mission of Observers in Prevlaka[42] has been brought to the attention of the members of the Security Council. They welcome the decision contained in your letter."

[39] Ibid., *Supplement for July, August and September 1996*, document S/1996/705.

[40] Ibid., *Supplement for October, November and December 1996*, document S/1996/883.

[41] S/1996/958.

[42] S/1996/957.

At its 3727th meeting, on 20 December 1996, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Further report on the situation of human rights in Croatia pursuant to Security Council resolution 1019 (1995) (S/1996/1011 and Corr.1)".[38]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[43]

"The Security Council has considered the report of the Secretary-General of 5 December 1996 submitted pursuant to Council resolution 1019 (1995) on Croatia.[44]

"The Council acknowledges notable progress in the humanitarian situation, in particular measures taken by the Government of Croatia to meet the most urgent humanitarian needs of the Croatian Serb population.

"Although the security situation has improved slightly, the Council, however, expresses its concern at continued acts of harassment, looting and physical attacks against Croatian Serbs and, in particular, involvement by Croatian uniformed military and police officials in a number of those incidents. It calls upon the Government of Croatia to intensify its efforts to improve the security situation and to ensure adequate security conditions for the local Serb population, including the urgent re-establishment of a functioning court system in the former sectors North and South.

"The Council is deeply concerned that in spite of its previous requests there has been little progress on the issue of the return of the Croatian Serb refugees and urges the Government of Croatia to adopt a comprehensive approach in order to facilitate the return of refugees originating from Croatia to their homes of origin throughout Croatia. It deplores the continued failure by the Government of Croatia to safeguard effectively their property rights, especially the situation where many of those Serbs who have returned to the former sectors have been unable to regain possession of their properties. The Council calls upon the Government of Croatia to apply immediately proper procedures to the question of property rights and to stop all forms of discrimination against the Croatian Serb population in the provision of social benefits and reconstruction assistance.

"The Council is deeply concerned at reports that the new amnesty law is not being implemented in a fair and equitable manner. It underlines the fact that equitable application of that law is vital for building confidence and promoting reconciliation in Croatia as well as for the peaceful reintegration of the region of Eastern Slavonia, Baranja and Western Sirmium.

"The Council stresses the importance of the commitments undertaken by the Government of Croatia in relation to the Council of Europe, including its signature of the Framework Convention for the Protection of National Minorities and expects that the Government of Croatia will implement those commitments fully and without delay.

"The Council reiterates its call upon the Government of Croatia to cooperate fully with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and to conduct investigations into and the prosecution of all persons accused of serious violations of international humanitarian law, especially those committed in the course of military operations in 1995.

"The Council will remain seized of the matter and requests that the Secretary-General continue to report on the situation, in any case no later than 10 March 1997."

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[43] S/PRST/1996/48.

[44] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1011.

Decisions

On 11 January 1996, the President of the Security Council addressed the following letter to the Secretary-General:[46]

> "The members of the Security Council have noted your letter dated 2 January 1996[47] and the final biannual report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the activities of the International Conference, annexed to the letter.
>
> "The members of the Council note that the International Conference will cease to exist as of 31 January 1996. They would be grateful if you could convey to the Co-Chairmen their appreciation for their work and that of the International Conference since its establishment and for the important role it has played in the efforts to bring peace to the former Yugoslavia."

On 1 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[48]

> "I have the honour to inform you that your letter dated 31 January 1996 concerning the appointment of Mr. Iqbal Riza as your Special Representative and Coordinator of United Nations operations in Bosnia and Herzegovina and the appointment of Mr. Peter FitzGerald as the Commissioner of the International Police Task Force[49] has been brought to the attention of the members of the Security Council. They agree with the decisions contained in your letter."

On 15 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[14]

> "I have the honour to inform you that your report of 6 February 1996 concerning your intention to restructure the United Nations missions in Bosnia and Herzegovina and the Republic of Croatia[15] has been discussed by the members of the Security Council. They have taken note of your report with appreciation."

On 7 March 1996, the President of the Security Council addressed the following letter to the Secretary-General:[50]

> "I have the honour to inform you that your letter dated 5 March 1996 concerning your intention to deploy five military liaison officers to the United Nations Mission in Bosnia and Herzegovina[51] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

On 22 March 1996, the President of the Security Council addressed the following letter to the Secretary-General:[52]

> "I have the honour to inform you that your letter dated 19 March 1996 concerning your proposal to deploy to the United Nations Mission in Bosnia and Herzegovina two military helicopters and the necessary operating and support personnel from Ukraine[53] has been brought to the attention of the members of the Security Council. They concur with the proposal contained in your letter."

At its 3647th meeting, on 4 April 1996, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General pursuant to resolution 1035 (1995) (S/1996/210)[10]
>
> "Letter dated 13 March 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/190)".[10]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[54]

> "The Security Council has considered the report of the Secretary-General of 29 March 1996 submitted pursuant to its resolution 1035 (1995) of 21 December

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[45] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993, 1994 and 1995. As from the 3647th meeting, on 4 April 1996, the item was reformulated to read "The situation in Bosnia and Herzegovina.

[46] S/1996/18.

[47] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/4.

[48] S/1996/80.

[49] S/1996/79.

[50] S/1996/174.

[51] S/1996/173.

[52] S/1996/214.

[53] S/1996/213.

[54] S/PRST/1996/15.

1995,[55] and the report of the High Representative for the implementation of the peace agreement on Bosnia and Herzegovina, annexed to the letter from the Secretary-General to the President of the Security Council dated 13 March 1996.[56] The Council welcomes both reports.

"The Council notes that, on the whole, the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement")[57] is proceeding according to the timetable established by the Agreement. It also notes, in general, satisfactory compliance with the military aspects of the Peace Agreement, as confirmed in the most recent report to the Council on the operations of the Implementation Force,[58] and stresses that now the main emphasis in implementation efforts by the international community and the Bosnian parties themselves should shift to the civil aspects of the Agreement.

"The Council stresses that the responsibility for implementing the Peace Agreement rests primarily with the parties to the Agreement. It demands that they fully implement the Peace Agreement and demonstrate a genuine commitment to confidence and security-building measures, regional arms control, reconciliation and the building of a common future. In that context, it demands that the parties comply fully, unconditionally and without any further delay with their commitments regarding the release of prisoners, implementation of the constitutional framework, withdrawal of foreign forces, ensuring freedom of movement, cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, return of refugees and respect for human rights and international humanitarian law. It calls upon the authorities concerned with the Federation of Bosnia and Herzegovina to move forward vigorously on measures to strengthen the Federation and, to that end, to implement in full the Sarajevo agreement concluded on 30 March 1996.[59]

"The Council is particularly concerned at the failure to date by all parties to comply fully with the provisions of the Peace Agreement concerning the release of prisoners, in spite of the repeated commitments by the parties to do so. The Council stresses that the obligation to release the prisoners is unconditional. Failure to do so constitutes a serious case of non-compliance. In this context, the Council affirms its support for the conclusions of the Contact Group Ministerial Meeting of 23 March 1996[60] and notes the readiness of the High Representative to propose measures to be taken against any party that fails to comply.

"The Council expresses its full support for the High Representative who is in charge of monitoring the implementation of the Peace Agreement and mobilizing and, as appropriate, giving guidance to, and coordinating the activities of, the civilian organizations and agencies involved, in accordance with resolution 1031 (1995). It also expresses its full support for the United Nations Mission in Bosnia and Herzegovina and other international institutions and organizations involved in the implementation of the Peace Agreement. It affirms that the implementation of the Peace Agreement must be strict, just and impartial.

"The Council expresses its strong support for the International Police Task Force in Bosnia and Herzegovina of the United Nations Mission in Bosnia and Herzegovina. It notes that an effective United Nations civilian police operation is vital to the implementation of the Peace Agreement and encourages the Task Force to implement its mandate as actively as possible consistent with annex 11 of the Peace Agreement, as referred to in resolution 1035 (1995). The Council, bearing in mind the agreement of the parties in annex 11 of the Peace Agreement not to impede the movement of Task Force personnel or in any way hinder, obstruct or delay them in the performance of their responsibilities, calls upon the parties to allow Task Force personnel immediate and complete access to any site, person, activity, proceeding, record, or other item or event in Bosnia and Herzegovina as the Task Force may request. It notes with appreciation the participation of Member States in the staffing of the Task Force and urges those Member States which have agreed to provide civilian police to dispatch expeditiously fully qualified personnel to enable the Task Force to reach full deployment by mid-April. It encourages the Task Force to accelerate the deployment of police monitors, consistent with maintaining their high quality. The Council also expresses its strong support for the Mine Action Center of the Mission in Bosnia and Herzegovina and encourages States to contribute to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance.

"The Council recognizes that economic reconstruction and rehabilitation throughout the territory of Bosnia and Herzegovina are key factors for the overall success of the peace implementation process, reconciliation and reintegration. These tasks require the political will of and consistent efforts by the Bosnian parties as well as substantial international assistance. The Council urges that priority be given to projects aimed at

[55] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/210.

[56] Ibid., document S/1996/190.

[57] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.

[58] Ibid., *Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/215, annex.

[59] Ibid., *Supplement for April, May and June 1996*, document S/1996/244.

[60] Ibid., *Supplement for January, February and March 1996*, document S/1996/220.

facilitating the process of reconciliation and the economic reintegration of the whole country. It notes with appreciation the resources that have already been made available in this respect. It calls upon States and international institutions to honour fully their commitments regarding economic and financial assistance to Bosnia and Herzegovina. The Council recalls the relationship, as described in the London Conference, between the fulfilment by the parties of their commitments in the Peace Agreement and the readiness of the international community to commit financial resources for reconstruction and development. It affirms that it is the parties themselves that have the most important role in re-establishing the economy of their country.

"The Council expresses its deep concern over recent developments in the Sarajevo area which caused thousands of Bosnian Serb civilians to leave their homes. The Council calls upon the parties to make greater efforts towards reconciliation and the reconstitution of a multicultural and multi-ethnic Sarajevo, as a city of Bosniacs, Serbs, Croats, and others, and as the capital and seat of the future common institutions of Bosnia and Herzegovina. It further calls upon the parties to put in place additional measures to ensure security, freedom of movement and conditions for the return of people affected in Sarajevo and all other transferred areas. The Council calls upon the parties to reverse the trend of population movements and partition efforts in Bosnia and Herzegovina along ethnic lines.

"The Council pays tribute to all those who have given their lives in the cause of peace in the former Yugoslavia and expresses its condolences to their families, including to the family of the Secretary of Commerce of the United States of America.

"The Council requests the Secretary-General and the High Representative to continue to keep the Council regularly informed on the situation in Bosnia and Herzegovina and on the implementation of the Peace Agreement."

At its 3687th meeting, on 8 August 1996, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

"Letter dated 9 July 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/542)[30]

"Letter dated 11 July 1996 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1996/556)".[30]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[61]

"The Security Council has considered the report of the High Representative for the implementation of the peace agreement on Bosnia and Herzegovina annexed to the letter from the Secretary-General to the President of the Council dated 9 July 1996.[62]

"The Council expresses its full support for the conclusions reached at the meeting of the Peace Implementation Council in Florence, Italy, on 13 and 14 June 1996.[63] It stresses the importance of the forthcoming elections in Bosnia and Herzegovina, to be carried out in accordance with the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[57] which will allow for the establishment of the common institutions and which will be an important milestone for normalization in Bosnia and Herzegovina. It calls upon the parties to ensure the prompt functioning of these institutions after the elections. It supports the preparatory work done in this regard.

"The Council expects the parties to increase their efforts towards the maintenance and further enhancement of conditions necessary to ensure democratic elections, as provided for in article I of annex 3 of the Peace Agreement, and to abide fully by the results of those elections. In that context, the Council stresses the importance of the agreement reached by the Bosniac and Bosnian Croat leaderships in Mostar and facilitated by the European Union Administration of Mostar that has at last secured Bosnian Croat participation in a unified city administration in Mostar on the basis of the election results of 30 June 1996. The Council expects the Bosniac and Bosnian Croat leaderships in Mostar to implement this agreement fully and without delay, and stresses that failure to do so would seriously undermine crucial efforts to ensure lasting peace and stability in Bosnia and Herzegovina. It expresses its full support for the international organizations that are currently working in Mostar, and in particular for the European Union Administration of Mostar, and calls upon both leaderships to cooperate fully with the Administration. It calls upon the Government of the Republic of Croatia, which bears a special responsibility in this context, to continue to use its influence on the Bosnian Croat leadership to ensure full compliance with its obligations.

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[61] S/PRST/1996/34.

[62] See *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/542.

[63] Ibid., *Supplement for April, May and June 1996*, document S/1996/446.

The Council will continue to follow closely the situation in Mostar.

"The Council underlines the fact that the continued lack of progress in transferring authority and resources to the Federation of Bosnia and Herzegovina is a potential danger for the peace implementation process. The Council calls upon the Federation partners to accelerate their efforts for the establishment of a fully functioning Federation, which is an essential prerequisite for peace in Bosnia and Herzegovina.

"The Council notes with particular concern the conclusions of the High Representative, contained in his report on the implementation of the human rights provisions of the Peace Agreement, that the parties are not implementing their commitments in respect of human rights and that this failure is impeding the return of refugees. It condemns all acts of ethnic harassment. It calls upon the parties to the Peace Agreement to take immediately the measures identified in the report to stop the trend of ethnic separation in the country and in its capital, Sarajevo, and to preserve their multi-cultural and multi-ethnic heritage. The Council deeply regrets the undue delay in implementing measures regarding, *inter alia*, the development or creation of new independent media and the preservation of property rights, and calls upon each party to implement them immediately. The Council is ready to consider further reports by the Office of the High Representative on all aspects of the implementation of the Peace Agreement, including those mentioned above.

"The Council stresses that, under the Peace Agreement, persons indicted by the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 who have failed to comply with an order to appear before the Tribunal may not stand as a candidate or hold any appointive, elective or other public office in the territory of Bosnia and Herzegovina. Any continued holding of such an office is unacceptable. In this context, the Council notes the fact that, as a first step, Radovan Karadzic, after officially handing over his executive powers in the Republika Srpska on 30 June 1996, agreed on 19 July 1996 to cease definitively all political and official activities, thus facilitating the electoral process in Bosnia and Herzegovina. The Council expects this undertaking to be implemented fully and in good faith and will closely monitor further developments.

"The Council stresses that all States and concerned parties have an obligation, in accordance with resolution 827 (1993) of 25 May 1993, other relevant resolutions and the Peace Agreement, to cooperate fully with the International Tribunal and to comply without exception with requests for assistance or orders issued by a Trial Chamber. The Council has considered the letter from the President of the International Tribunal dated 11 July 1996,[64] which referred to the conclusion of a Trial Chamber of the Tribunal regarding the failure to execute the warrants of arrest issued against Radovan Karadzic and Ratko Mladic owing to the refusal of the Republika Srpska and the Federal Republic of Yugoslavia to cooperate with the Tribunal. It condemns this failure to execute these arrest warrants. The Council notes the recent visit by the delegation from the Republika Srpska to the International Tribunal in The Hague for the purpose of discussing all aspects of cooperation with the Tribunal, and expects that cooperation with the Tribunal to bring to justice all persons indicted will be realized. The Council condemns the failure to date of the Bosnian Croat leadership and the Croatian Government to comply with the orders of the International Tribunal regarding several persons indicted for war crimes. The Council demands the full cooperation of all parties concerned in the immediate execution of all arrest warrants and the transfer to the International Tribunal of all persons indicted, in accordance with article 29 of the statute of the Tribunal. The Council further condemns any attempt to challenge the authority of the International Tribunal. The Council underlines the importance of the obligations undertaken by the parties to the Peace Agreement to cooperate fully with the International Tribunal and stresses that failure to arrest and transfer persons indicted by the Tribunal is a violation of these obligations. The Council stresses that compliance with the requests and orders of the International Tribunal constitutes an essential aspect of implementing the Peace Agreement, as provided by previous resolutions; the Council is ready to consider the application of economic enforcement measures to ensure compliance by all parties with their obligations under the Peace Agreement.

"The Council condemns any threat or act of violence directed against international personnel in Bosnia and Herzegovina, in particular those directed against personnel belonging to the United Nations International Police Task Force on the territory of the Republika Srpska. It condemns also the obstacles put in the way of forensic investigations carried out by international organizations on the territory of the Republika Srpska as well as on the territory of the Federation of Bosnia and Herzegovina. It calls upon all parties to lift those obstacles and to ensure full freedom of movement and safety for all international personnel.

"The Council reiterates its full support for the High Representative and for all international organizations currently working in Bosnia and Herzegovina for the implementation of the Peace Agreement. The Council stands ready to consider the need for further action in order to continue and consolidate the efforts made for full implementation of the Peace Agreement. The Council welcomes all initiatives which will lead to a

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[64] Ibid., *Supplement for July, August and September 1996*, document S/1996/556.

greater degree of stability and cooperation in the whole region."

At its 3701st meeting, on 10 October 1996, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[65]

"The Security Council has considered, in the light of its resolution 1034 (1995) of 21 December 1995, the current situation with regard to the investigation of violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most as well as in the areas of Glamoc, Ozren and elsewhere throughout the territory of Bosnia and Herzegovina.

"The Council recalls the report of the Secretary-General of 27 November 1995.[66]

"The Council expresses deep concern about the very little progress achieved so far in these investigations and strongly appeals to all the parties of Bosnia and Herzegovina to make every effort to identify the fate of the missing persons, both for humanitarian and legal purposes.

"The Council is concerned that endeavours by the relevant international authorities to identify the fate of the missing by, *inter alia*, carrying out exhumations have met with limited success largely owing to obstruction by the Republika Srpska. It notes with concern that the fate of only a few hundred missing persons has been established so far.

"The Council welcomes the recent visit by the delegation from the Republika Srpska to the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 ,in The Hague, and expresses the hope that this visit marks a turning point in relations between the Republika Srpska and the International Tribunal and will facilitate cooperation with regard to investigations conducted by personnel of the Tribunal.

"The Council condemns all attempts to obstruct the investigations or to destroy, alter, conceal or damage any related evidence. The Council stresses again the obligations of all the parties to cooperate fully and unconditionally with the relevant international authorities and among themselves with respect to such investigations and reminds the parties of their commitment under the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement").[57]

"The Council reaffirms that the violations of international humanitarian law throughout the territory of Bosnia and Herzegovina as described in resolution 1034 (1995) must be fully and properly investigated. The Council reiterates that all States and concerned parties have an obligation, in accordance with resolution 827 (1993) of 25 May 1993, other relevant resolutions and the Peace Agreement, to cooperate fully with the International Tribunal and to comply without exception with requests for assistance or orders issued by a Trial Chamber. The Council expresses again its support for the endeavours of the international agencies and authorities involved in these investigations and invites them to pursue and intensify their efforts. It encourages Member States to continue to provide the necessary financial and other support.

"The Council will continue to follow this issue closely. It requests the Secretary-General to keep it regularly informed on progress reached in the investigation of the violations of international humanitarian law referred to in the report mentioned above."

At its 3723rd meeting, on 12 December 1996, the Council decided to invite the representatives of Bosnia and Herzegovina, Canada, the Czech Republic, Ireland, Malaysia, Norway, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

"Report of the Secretary-General pursuant to Security Council resolution 1035 (1995) (S/1996/1017)[58]

"Letter dated 21 November 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/968)[58]

"Letter dated 5 December 1996 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General (S/1996/1012)".[58]

Resolution 1088 (1996) of 12 December 1996

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995 and 1035 (1995) of 21 December 1995,

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[65] S/PRST/1996/41.

[66] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/988.

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Welcoming the conclusions reached by the Ministerial Steering Board and the Presidency of Bosnia and Herzegovina at a conference held in Paris on 14 November 1996 (the Paris Conference),[67] and the guiding principles of the two-year civilian consolidation plan of the peace process referred to in those conclusions,

Welcoming also the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996 (the London Conference),[68] which, following the conclusions of the Paris Conference, approved an action plan for the first twelve-month period of the civilian consolidation plan of the peace process,[69]

Welcoming further the progress in the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement",[57] and expressing its appreciation to the High Representative, the Commander and personnel of the multinational Implementation Force, and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Noting with satisfaction the holding of the elections called for in annex 3 of the Peace Agreement, and welcoming the progress in establishing the common institutions in accordance with the provisions of the Constitution of Bosnia and Herzegovina,

Underlining the important role for the Republic of Croatia and the Federal Republic of Yugoslavia to play in the successful development of the peace process in Bosnia and Herzegovina,

Having considered the report of the Secretary-General of 9 December 1996,[70]

Taking note of the report of the High Representative of 9 December 1996,[71]

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

I

1. *Reaffirms its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[57] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[72] calls upon the parties to comply strictly with their obligations under those agreements, and expresses its intention to keep the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under review;

2. *Expresses its support* for the conclusions of the Paris[67] and London[68] Conferences;

3. *Underlines* the fact that the primary responsibility for the further successful implementation of the peace process lies with the authorities in Bosnia and Herzegovina themselves, which during the next two years should assume increasing responsibility for the functions now undertaken or coordinated by the international community, and stresses that without compliance and active participation by all the authorities in Bosnia and Herzegovina in rebuilding a civil society they cannot expect the international community and major donors to continue shouldering the political, military and economic burden of the implementation and reconstruction efforts;

4. *Underlines* the link, as agreed by the Presidency of Bosnia and Herzegovina in the conclusions of the Paris Conference, between the availability of international financial assistance and the degree to which all the authorities in Bosnia and Herzegovina implement the Peace Agreement, including cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and cooperation with the action plan which has been approved by the London Conference;[69]

5. *Welcomes* the mutual recognition among all the successor States to the former Socialist Federal Republic of Yugoslavia within their internationally recognized borders, and stresses the importance of full normalization of relations, including the immediate establishment of diplomatic relations, among those States;

6. *Welcomes* the reaffirmation by the Presidency of Bosnia and Herzegovina in the conclusions of the Paris Conference of its commitment to pursuing the peace process fully, in the name of the three constituent peoples of Bosnia and Herzegovina, in accordance with the Peace Agreement and the sovereignty and territorial integrity of the country, including the development of a Bosnian State based on the principles of democracy and consisting of the two entities, the Federation of Bosnia and Herzegovina and the Republika Srpska, and underlines in this respect the importance of

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[67] Ibid., *Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/968, annex.

[68] Ibid., document S/1996/1012, annex.

[69] Ibid., para. 5.

[70] Ibid., document S/1996/1017.

[71] Ibid., document S/1996/1024, annex.

[72] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1021, annex.

establishing the remaining common institutions provided for in the Constitution of Bosnia and Herzegovina without delay, as well as the importance of the commitment by the authorities in Bosnia and Herzegovina to cooperate in the working of these institutions at all levels;

7. *Reminds* the parties that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal, as it carries out its responsibilities for dispensing justice impartially, and underlines the fact that full cooperation by States and entities with the Tribunal includes, the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

8. *Recognizes* that the parties have authorized the multinational force referred to in paragraph 18 below to take such actions as required, including the use of necessary force, to ensure compliance with annex 1-A of the Peace Agreement;

9. *Welcomes* the agreement of the authorities in Bosnia and Herzegovina to supervision by the Organization for Security and Cooperation in Europe of the preparation and conduct of the municipal elections to be held in 1997, and also welcomes the decision of that organization to extend the mandate of its mission in Bosnia and Herzegovina to take forward its work on elections, as well as that on human rights and regional stabilization;

10. *Underlines* the obligation of the parties under the Peace Agreement to secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, calls upon them to cooperate fully with the work of the Human Rights Ombudsman and the Human Rights Chamber and to implement their conclusions and decisions, and calls upon the authorities in Bosnia and Herzegovina to cooperate fully with the United Nations Commission on Human Rights, the Organization for Security and Cooperation in Europe, the United Nations High Commissioner for Human Rights and other intergovernmental or regional human rights missions or organizations to monitor closely the human rights situation in Bosnia and Herzegovina;

11. *Welcomes* the commitment of the parties to the right of all refugees and displaced persons freely to return to their homes of origin or to other places of their choice in Bosnia and Herzegovina in safety, notes the leading humanitarian role which has been given by the Peace Agreement to the Office of the United Nations High Commissioner for Refugees, in coordination with other agencies involved and under the authority of the Secretary-General, to assist with the repatriation and relief of refugees and displaced persons, and stresses the importance of facilitating the return or resettlement of refugees and displaced persons, which should be gradual and orderly and carried out through progressive, coordinated programmes that address the need for local security, housing and jobs, while ensuring full compliance with annex 7 of the Peace Agreement as well as other established procedures;

12. *Emphasizes* the importance of the creation of conditions conducive to the reconstruction and development of Bosnia and Herzegovina, encourages Member States to provide assistance for the programme of reconstruction in that country, and welcomes in this respect the important contribution already made by the European Union, the World Bank and bilateral donors;

13. *Underlines* the importance of control of armaments in the region at the lowest possible level of weapons, calls upon the Bosnian parties to implement fully and without further delay the agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996 and, following satisfactory progress in the implementation of theagreements in articles II and IV of annex 1-B of the Peace Agreement, calls for efforts to continue to promote the implementation of the regional arms control agreement in article V;

14. *Stresses* the importance it attaches to the continuation on a reinforced basis, as agreed at the Paris and London Conferences, of the role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of annex 10 on civilian implementation of the peace settlement and that in case of dispute he may give his interpretation and make his recommendations, including to the authorities of Bosnia and Herzegovina or its entities, and make them known publicly;

15. *Reaffirms its intention* to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 26 and 34 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

16. *Pays tribute* to those Member States that participated in the multinational force established in accordance with its resolution 1031 (1995), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational implementation force;

17. *Notes* the confirmations by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, and by the Republic of Croatia and the Federal Republic of Yugoslavia of the understandings set out in the letters dated 29 November 1996 from the Secretary-General of the organization referred to in annex 1-A of the Peace Agreement; [73]

18. *Authorizes* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to establish for a planned period of

[73] Ibid., *Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1025.

eighteen months a multinational Stabilization Force as the legal successor to the Implementation Force, under unified command and control, in order to fulfil the role specified in annexes 1-A and 2 of the Peace Agreement;

19. *Authorizes* the Member States acting under paragraph 18 above to take all necessary measures to effect the implementation of and to ensure compliance with annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that annex and shall be equally subject to such enforcement action by the Stabilization Force as may be necessary to ensure implementation of that annex and the protection of the Force, and notes that the parties have consented to the Force taking such measures;

20. *Authorizes* Member States to take all necessary measures, at the request of the Stabilization Force, either in defence of the Force or to assist the Force in carrying out its mission, and recognizes the right of the Force to take all necessary measures to defend itself from attack or threat of attack;

21. *Authorizes* the Member States acting under paragraph 18 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures, to be established by the Commander of the Stabilization Force, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

22. *Requests* the authorities in Bosnia and Herzegovina to cooperate with the Commander of the Stabilization Force to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on the Force by annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

23. *Demands* that the parties respect the security and freedom of movement of the Stabilization Force and other international personnel;

24. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 18 above;

25. *Recalls* all the agreements concerning the status of forces as referred to in appendix B to annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

26. *Requests* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to report to the Council, through the appropriate channels and at least at monthly intervals;

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Noting the request of the authorities in Bosnia and Herzegovina that the mandate of the United Nations civilian police force known as the International Police Task Force, which is a part of the United Nations Mission in Bosnia and Herzegovina, be renewed,

Reaffirming the legal basis in the Charter of the United Nations on which the International Police Task Force was given its mandate in resolution 1035 (1995),

Expressing its appreciation to the personnel of the Mission for their contribution to the implementation of the Peace Agreement,

III

27. *Decides* to extend the mandate of the United Nations Mission in Bosnia and Herzegovina, which includes the International Police Task Force, for an additional period terminating on 21 December 1997, and also decides that the Task Force shall continue to be entrusted with the tasks set out in annex 11 of the Peace Agreement, including the tasks referred to in the conclusions of the London Conference and agreed by the authorities in Bosnia and Herzegovina;

28. *Requests* the Secretary-General to keep the Council regularly informed on the work of the International Police Task Force and its progress in assisting the restructuring of law enforcement agencies, and to report every three months on the implementation of the mandate of the Mission as a whole, and, in this context, also requests the Secretary-General to report to the Council by 16 June 1997 on the Task Force, in particular its work in assisting the restructuring of law enforcement agencies, coordinating assistance in training and providing equipment, advising law enforcement agencies on guidelines on democratic policing principles with full support for human rights, and investigating or assisting with investigations into human rights abuses by law enforcement personnel, as well as to report on progress by the authorities in Bosnia and Herzegovina in regard to such issues, in particular their compliance with Task Force-prescribed guidelines, including their taking prompt and effective action, which could include dismissal where appropriate, in respect of any officer reported to them by the Task Force Commissioner as failing to cooperate with the Task Force or to adhere to democratic policing principles;

29. *Stresses* that the successful implementation of the tasks of the International Police Task Force rests on the quality, experience and professional skills of its personnel, and urges Member States, with the support of the Secretary-General, to ensure the provision of such qualified personnel;

30. *Reaffirms* the responsibility of the parties to cooperate fully with, and instruct their respective responsible officials and authorities to provide their full support to, the International Police Task Force on all relevant matters;

31. *Expresses appreciation* for the efforts under way to enhance and strengthen the logistical and support capabilities of the Mission by the Secretary-General, and urges that those efforts be increased;

32. *Calls upon* all concerned to ensure the closest possible coordination between the High Representative, the

Stabilization Force, the Mission and the relevant civilian organizations and agencies so as to ensure the successful implementation of the Peace Agreement and of the priority objectives of the civilian consolidation plan, as well as the security of International Police Task Force personnel;

33. *Encourages* Member States, in response to demonstrable progress by the parties in restructuring their law enforcement institutions, to assist the parties, through the International Police Task Force, in following up the United Nations programme of assistance for the local police forces;

34. *Requests* the Secretary-General to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the London Conference, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under the Agreement;

35. *Decides* to remain seized of the matter.

Adopted unanimously at the 3723rd meeting.

The situation in the former Yugoslav Republic of Macedonia[74]

Decisions

On 1 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[75]

> "The members of the Security Council have noted your report of 29 January 1996 pursuant to resolution 1027 (1995).[76]
>
> "The members of the Council concur in principle with your recommendation that the United Nations Preventive Deployment Force become an independent mission which will have basically the same mandate, strength and composition of forces. They will continue their consideration of your report in the light of concrete proposals that you intend to put forward on the financial and administrative aspects of this change."

At its 3630th meeting, on 13 February 1996, the Council considered the item entitled:

> "The situation in the former Yugoslav Republic of Macedonia
>
> > "Report of the Secretary-General pursuant to Security Council resolution 1027 (1995) (S/1996/65)[10]
> >
> > "Letter dated 6 February 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/94)".[10]

Resolution 1046 (1996) of 13 February 1996

The Security Council,

Recalling all its previous relevant resolutions, in particular resolution 1027 (1995) of 30 November 1995 by which it extended the mandate of the United Nations Preventive Deployment Force in the former Yugoslav Republic of Macedonia until 30 May 1996,

Having considered the report of the Secretary-General of 29 January 1996[76] and his letter dated 6 February 1996 to the President of the Council and the annex thereto,[77]

1. *Decides* to authorize, for the duration of the present mandate, an increase in the strength of the United Nations Preventive Deployment Force by fifty military personnel in order to provide for a continued engineering capability in support of its operations;

2. *Approves* the establishment of the position of Force Commander of the United Nations Preventive Deployment Force;

3. *Requests* the Secretary-General to submit to the Council not later than 20 May 1996 further recommendations on the composition, strength and mandate of the Force in the light of developments in the region;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 3630th meeting.

Decisions

On 16 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[78]

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[74] Resolutions or decisions on this question were also adopted by the Council in 1995.

[75] S/1996/76.

[76] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/65.

[77] Ibid., document S/1996/94.

[78] S/1996/119.

"I have the honour to inform you that your letter dated 14 February 1996 concerning the appointment of Brigadier-General Bo Lennart Wranker, of Sweden, as Force Commander of the United Nations Preventive Deployment Force[79] has been brought to the attention of the members of the Security Council. They welcome the proposal contained in your letter."

At its 3670th meeting, on 30 May 1996, the Council decided to invite the representative of the former Yugoslav Republic of Macedonia to participate, without vote, in the discussion of the item entitled:

"The situation in the former Yugoslav Republic of Macedonia

"Report of the Secretary-General pursuant to Security Council resolution 1046 (1996) (S/1996/373 and Add.1)".[22]

Resolution 1058 (1996) of 30 May 1996

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 1027 (1995) of 30 November 1995 and 1046 (1996) of 13 February 1996,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia,

Noting with appreciation the important role played by the United Nations Preventive Deployment Force in contributing to the maintenance of peace and stability, and paying tribute to its personnel in the performance of their mandate,

Noting that the security situation of the former Yugoslav Republic of Macedonia has improved, but recognizing that it is too early to be confident that stability has been established in the region, and expressing the hope that future developments in the region will not undermine confidence and stability in the former Yugoslav Republic of Macedonia or threaten its security,

Welcoming the signing of the agreement between the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia on 8 April 1996,[80] and urging both parties to implement it in full, including the demarcation of their mutual border,

Welcoming also the progress achieved in improving relations between the former Yugoslav Republic of Macedonia and Greece on the basis of the Interim Accord of 13 September 1995,[81]

Welcoming further the close cooperation between the Force and the mission of the Organization for Security and Cooperation in Europe,

Taking note of the letter from the Chargé d'affaires a.i. of the Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General dated 11 April 1996,[82]

Having considered the report of the Secretary-General of 23 May 1996[83] and, in particular, his assessment of the composition, strength and mandate of the Force,

1. *Takes note with appreciation* of the report of the Secretary-General of 23 May 1996;[83]

2. *Decides* to extend the mandate of the United Nations Preventive Deployment Force for a period terminating on 30 November 1996;

3. *Calls upon* Member States to consider favourably requests by the Secretary-General for necessary assistance to the Force in the performance of its mandate;

4. *Requests* the Secretary-General to keep the Council regularly informed of any developments on the ground and other circumstances affecting the mandate and also requests the Secretary-General to review the composition, strength and mandate of the Force and to report to the Council by 30 September 1996 for its consideration;

5. *Decides* to remain seized of the matter.

Adopted at the 3670th meeting by 14 votes to none, with 1 abstention (Russian Federation).

Decision

At its 3716th meeting, on 27 November 1996, the Security Council decided to invite the representative of the former Yugoslav Republic of Macedonia to participate, without vote, in the discussion of the item entitled:

"The situation in the former Yugoslav Republic of Macedonia

"Report of the Secretary-General on the United Nations Preventive Deployment Force pursuant to Security Council resolution 1058 (1996) (S/1996/961)".[38]

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[79] S/1996/118.

[80] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/291, annex.

[81] Ibid., *Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/794, annex I.

[82] Ibid., *Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/389.

[83] Ibid., documents S/1996/373 and Add.1.

Resolution 1082 (1996)
of 27 November 1996

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 1046 (1996) of 13 February 1996 and 1058 (1996) of 30 May 1996,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia,

Noting with appreciation the important role played by the United Nations Preventive Deployment Force in contributing to the maintenance of peace and stability, and paying tribute to its personnel in the performance of their mandate,

Taking into consideration the fact that the security situation of the former Yugoslav Republic of Macedonia continues to improve, but that peace and stability in the broader region have not yet been fully achieved, and expressing the hope that developments in the region will contribute to increased confidence and stability in the former Yugoslav Republic of Macedonia, permitting the further drawing down of the Force towards its conclusion,

Welcoming the improvement in the relations between the former Yugoslav Republic of Macedonia and its neighbouring States,

Reiterating its call on the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia to implement in full their agreement of 8 April 1996,[80] in particular regarding the demarcation of their mutual border,

Welcoming the continued cooperation between the Force and the mission of the Organization for Security and Cooperation in Europe,

Taking note of the letter dated 18 November 1996 from the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia to the Secretary-General requesting the extension of the mandate of the Force ,[84]

Having considered the report of the Secretary-General of 19 November 1996,[85] and noting his assessment of the composition, strength and mandate of the Force,

1. *Decides* to extend the mandate of the United Nations Preventive Deployment Force for a period terminating on 31 May 1997 with a reduction of its military component by three hundred all ranks by 30 April 1997 with a view to concluding the mandate as and when circumstances permit;

2. *Calls upon* Member States to consider favourably requests by the Secretary-General for necessary assistance to the Force in the performance of this mandate;

3. *Requests* the Secretary-General to keep the Council regularly informed about any developments and to report to the Council by 15 April 1997 with his recommendations on a subsequent international presence in the former Yugoslav Republic of Macedonia;

4. *Decides* to remain seized of the matter.

Adopted at the 3716th meeting
by 14 votes to none,
with 1 abstention (Russian Federation).

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[84] Ibid., *Supplement for October, November and December 1996*, document S/1996/983, annex.

[85] Ibid., document S/1996/961.

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

Decisions

At its 3663rd meeting, on 8 May 1996, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of InternationalHumanitarian Law Committed in the Territory of the Former Yugoslavia

"Letter dated 24 April 1996 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1996/319)".[22]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[86]

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[86] S/PRST/1996/23.

"The Security Council expresses its profound concern at recent instances of failure to cooperate with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to resolution 827 (1993) of 25 May 1993, and in particular the failure of the Federal Republic of Yugoslavia to cooperate, described in the letter dated 24 April 1996 from the President of the Tribunal to the President of the Security Council[87]

"The Council recalls its decision in resolution 827 (1993) that all States should cooperate fully with the International Tribunal and its organs in accordance with that resolution and the statute of the Tribunal and that consequently all States should take any measures necessary under their domestic law to implement the provisions of the resolution and the statute, including the obligation of States to comply with requests for assistance or orders issued by a Trial Chamber under article 29 of the statute. The Council underlines the importance of these obligations, as well as the obligations undertaken by the parties to the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement")[57] to cooperate fully with the International Tribunal.

"The Council deplores the failure to date of the Federal Republic of Yugoslavia to execute the arrest warrants issued by the International Tribunal against the three individuals referred to in the letter dated 24 April 1996, and calls for the execution of those arrest warrants without delay.

"The Council calls upon all States and others concerned to comply fully with their obligations with respect to cooperation with the International Tribunal, and in particular their obligation to execute arrest warrants transmitted to them by the Tribunal. It recalls its resolution 1022 (1995) of 22 November 1995 in which it noted, *inter alia*, that compliance with the requests and orders of the Tribunal constituted an essential aspect of implementing the Peace Agreement. The Council calls upon all States which have not already done so to make provision in their domestic law enabling them to comply fully with their obligations with respect to cooperation with the Tribunal.

"The Council will remain seized of the matter."

[87] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/319.

The situation in the former Yugoslavia[74]

Decisions

At its 3700th meeting, on 1 October 1996, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the former Yugoslavia".

At the same meeting, the Council also decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to sit at the Council table during the discussion of the item.

Resolution 1074 (1996) of 1 October 1996

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, and reaffirming, in particular, its resolution 1022 (1995) of 22 November 1995,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Expressing its appreciation to the High Representative, the Commander and personnel of the multinational Implementation Force, personnel of the United Nations and the Organization for Security and Cooperation in Europe, as well as other international personnel in Bosnia and Herzegovina for their contributions to the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement",[57]

Welcoming the progress in the implementation of the Peace Agreement,

Welcoming also the process of mutual recognition, and stressing the importance of full normalization of relations, including the establishment of diplomatic relations, among all successor States to the former Socialist Federal Republic of Yugoslavia,

Noting with satisfaction that the elections called for in annex 3 of the Peace Agreement have taken place in Bosnia and Herzegovina,

Underlining the need for full cooperation by States and entities with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which constitutes an essential aspect of implementing the Peace Agreement,

Reminding the parties of the relationship between the fulfilment by them of their commitments in the Peace Agreement and the readiness of the international community to commit financial resources for reconstruction and development,

Acting under Chapter VII of the Charter of the United Nations,

1. *Notes with satisfaction* that the elections called for in annex 3 of the Peace Agreement[57] took place on 14 September 1996 in Bosnia and Herzegovina, and notes that their holding constituted an essential step towards achieving the objectives of the Peace Agreement;

2. *Decides*, in accordance with paragraph 4 of its resolution 1022 (1995), to terminate, with immediate effect, the measures referred to in paragraph 1 of that resolution;

3. *Calls upon* all parties to comply strictly with all their commitments under the Peace Agreement;

4. *Decides* to keep the situation under close review taking into account the reports submitted pursuant to paragraphs 25 and 32 of resolution 1031 (1995) of 15 December 1995 and any recommendations those reports might include;

5. *Also decides* to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

6. *Further decides* to dissolve the Security Council Committee established pursuant to its resolution 724 (1991) of 15 December 1991 once its report has been finalized, and expresses its gratitude for the work of the Committee;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 3700th meeting.

THE SITUATION IN GEORGIA[1]

Decision

At its 3618th meeting, on 12 January 1996, the Security Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1996/5)".[2]

Resolution 1036 (1996) of 12 January 1996

The Security Council,

Reaffirming all its relevant resolutions, in particular resolution 993 (1995) of 12 May 1995,

Having considered the report of the Secretary-General of 2 January 1996,[3]

Reaffirming its commitment to the sovereignty and territorial integrity of Georgia,

Stressing the need for the parties to intensify efforts, under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator, to achieve an early and comprehensive political settlement of the conflict, including on the political status of Abkhazia, fully respecting the sovereignty and territorial integrity of Georgia,

Noting the holding of presidential and parliamentary elections in Georgia in November 1995, and expressing the hope that these will contribute positively to the achievement of a comprehensive political settlement of the conflict in Abkhazia, Georgia,

Reaffirming the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993, 1994 and 1995.

[2] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[3] Ibid., document S/1996/5.

set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons of 4 April 1994;[4]

Deploring the continued obstruction of such return by the Abkhaz authorities,

Deeply concerned over the deterioration in the humanitarian situation, in particular in the Gali region where there is a continued lack of a secure environment,

Deeply concerned also at the rising violence and at the killings being committed in the areas under the control of the Abkhaz side reported in a letter dated 8 January 1996 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council,[5]

Recalling the conclusions of the Budapest summit of the Conference on Security and Cooperation in Europe[6] regarding the situation in Abkhazia, Georgia,

Reaffirming the necessity for the parties to comply strictly with international humanitarian law,

Noting that the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[7] has generally been respected by the parties with the assistance of the collective peacekeeping force of the Commonwealth of Independent States and the United Nations Observer Mission in Georgia,

Expressing its satisfaction with the close cooperation and coordination between the Mission and the collective peacekeeping force in the performance of their respective mandates, and commending the contribution both have made to stabilize the situation in the zone of conflict,

Expressing concern about the safety and security of the Mission and Commonwealth of Independent States personnel, and stressing the importance it attaches to their freedom of movement,

Noting that the forthcoming meeting of the Council of Heads of State of the Commonwealth of Independent States to be held in Moscow on 19 January 1996 will consider the extension of the mandate of the collective peacekeeping force,

1. *Welcomes* the report of the Secretary-General of 2 January 1996;[3]

2. *Expresses its deep concern* at the continued deadlock in the efforts to achieve a comprehensive settlement of the conflict in Abkhazia, Georgia;

3. *Reaffirms its full support* for the efforts of the Secretary-General aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of Georgia, as well as for the efforts that are being undertaken by the Russian Federation in its capacity as facilitator to intensify the search for a peaceful settlement of the conflict, and encourages the Secretary-General to continue his efforts, with the assistance of the Russian Federation as facilitator, and with the support of the Organization for Security and Cooperation in Europe, to that end;

4. *Calls upon* the parties, in particular the Abkhaz side, to achieve substantive progress without further delay towards a comprehensive political settlement, and also calls upon them to cooperate fully with the efforts undertaken by the Secretary-General with the assistance of the Russian Federation as facilitator;

5. *Demands* that the Abkhaz side accelerate significantly the process of voluntary return of refugees and displaced persons by accepting a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees, and also demands that it guarantee the safety of spontaneous returnees already in the area and regularize their status in accordance with the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons of 4 April 1994;[4]

6. *Calls upon* the Abkhaz side, in that context, to promote, as a first step, the return of refugees and displaced persons to the Gali region in safety and dignity;

7. *Condemns* the ethnic killings and continuing human rights violations committed in Abkhazia, Georgia, and calls upon the Abkhaz side to ensure the safety of all persons in areas under its control;

8. *Calls upon* the parties to improve their cooperation with the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States in order to provide a secure environment for the return of refugees and displaced persons, and also calls upon them to honour their commitments with regard to the security and freedom of movement of all United Nations and Commonwealth of Independent States personnel and with regard to Mission inspections of heavy-weapon storage sites;

9. *Welcomes* the additional measures implemented by the Mission and the collective peacekeeping force in the Gali region aimed at improving conditions for the safe and orderly return of refugees and displaced persons, and all appropriate efforts in this regard;

10. *Expresses its full support* for the elaboration of a concrete programme for the protection and promotion of human rights in Abkhazia, Georgia, as described in the report of the Secretary-General of 2 January 1996, and calls upon the Abkhaz authorities to cooperate fully with the efforts to this end;

11. *Decides* to extend the mandate of the Mission for an additional period terminating on 12 July 1996, subject to a

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[4] Ibid., *Forty-ninth Year, Supplement for April, May and June 1994*, document S/1994/397.

[5] Ibid., *Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/9.

[6] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1435.

[7] Ibid., *Supplement for April, May and June 1994*, document S/1994/583.

review by the Council of the mandate of the Mission in the event of any changes that may be made in the mandate of the collective peacekeeping force;

12. *Reiterates its encouragement* to States to contribute to the voluntary fund in support of the implementation of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[7] and/or for humanitarian aspects, including demining, as specified by the donors;

13. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report after three months from the date of the adoption of the present resolution on all aspects of the situation in Abkhazia, Georgia, including the operations of the Mission;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3618th meeting.

Decisions

At its 3658th meeting, on 25 April 1996, the Security Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1996/284)".[8]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[9]

"The Security Council has considered the interim report of the Secretary-General concerning the situation in Abkhazia, Georgia, of 15 April 1996.[10] It has also read with appreciation the letter dated 5 March 1996 from the Government of Georgia[11] and the proposals on the political status of Abkhazia contained therein.

"The Council notes with deep concern the continued failure of the parties to achieve a comprehensive political settlement. It also notes the adverse impact that this failure has on the humanitarian situation and economic development in the region. It calls upon the parties, in particular the Abkhaz side, to achieve substantive progress without further delay.

"The Council reaffirms its full support for the efforts of the Secretary-General, of his Special Envoy and of the Russian Federation as facilitator, aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting the sovereignty and territorial integrity of Georgia. The Council stresses that the primary responsibility for achieving a comprehensive political settlement rests upon the parties themselves.

"The Council welcomes the efforts undertaken by the members of the Commonwealth of Independent States as set out in annex IV to document S/1996/74,[2] in support of such a comprehensive political settlement.

"The Council remains deeply concerned at the continued obstruction of the return of the refugees and displaced persons by the Abkhaz authorities, which is totally unacceptable.

"The Council expresses its support for the efforts of the Secretary-General to find ways of improving the observance of human rights in the region, as an integral part of the work towards a comprehensive political settlement.

"The Council notes the important contribution made by the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States to the stabilization of the situation in the zone of conflict. The Council recalls its encouragement to Member States to make contributions, in cash or kind, to the voluntary fund in support of the implementation of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[7] and/or for humanitarian aspects, including demining. It welcomes the contributions mentioned in the report of the Secretary-General.

"The Council is, however, deeply concerned at the deterioration in security conditions in the Gali region, which has a negative effect on the ability of the Mission to meet its mandated tasks. The Council condemns mine-laying in the Gali region, which has resulted in loss of life, including of a military observer of the Mission. Such mine-laying should cease. The Council calls upon the parties to take all measures in their power to prevent it. The Council stresses that the ability of the international community to assist depends on the full cooperation of the parties, especially the fulfilment of their obligations regarding the safety and freedom of movement of international personnel.

"The Council invites the Secretary-General to continue to keep it informed of the situation."

At its 3680th meeting, on 12 July 1996, the Council decided to invite the representatives of Georgia and Ireland to participate, without vote, in the discussion of the item entitled:

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[8] Ibid., *Fifty-first Year, Supplement for April, May and June 1996.*

[9] S/PRST/1996/20.

[10] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/284.

[11] Ibid., *Supplement for January, February and March 1996*, document S/1996/165.

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1996/507 and Add.1)".[12]

Resolution 1065 (1996) of 12 July 1996

The Security Council,

Reaffirming all its relevant resolutions, in particular resolution 1036 (1996) of 12 January 1996,

Having considered the report of the Secretary-General of 1 July 1996,[13]

Noting with deep concern the continued failure by the parties to resolve their differences due to the uncompromising position taken by the Abkhaz side, and underlining the necessity for them to intensify without delay their efforts, under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator, to achieve an early and comprehensive political settlement of the conflict, including on the political status of Abkhazia within the State of Georgia, which fully respects the sovereignty and territorial integrity of Georgia,

Reaffirming the necessity for the parties strictly to respect human rights, and expressing its support for the efforts of the Secretary-General to find ways to improve their observance as an integral part of the work towards a comprehensive political settlement,

Noting that the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[7] has generally been respected by the parties with the assistance of the collective peacekeeping force of the Commonwealth of Independent States and the United Nations Observer Mission in Georgia,

Commending the contribution the Mission and the collective peacekeeping force have made to stabilize the situation in the zone of conflict, and stressing the importance of continued close cooperation and coordination between them in the performance of their respective mandates,

Deeply concerned at the deterioration of the security conditions in the Gali region and of the safety and security of the local population, of the refugees and displaced persons returning to the region and of the Mission and collective peacekeeping force personnel,

Reminding the parties that the ability of the international community to assist them depends on their political will to resolve the conflict through dialogue and mutual accommodation, as well as their full cooperation with the Mission and the collective peacekeeping force, including the fulfilment of their obligations regarding the safety and freedom of movement of international personnel,

Taking note of the decision taken by the heads of State of the Commonwealth of Independent States on 17 May 1996,[14]

Noting that the heads of State of the Commonwealth of Independent States will consider the extension of the mandate of the collective peacekeeping force beyond 19 July 1996,

1. *Welcomes* the report of the Secretary-General of 1 July 1996;[13]

2. *Expresses its deep concern* at the continued deadlock in the efforts to achieve a comprehensive settlement of the conflict in Abkhazia, Georgia;

3. *Reaffirms its commitment* to the sovereignty and territorial integrity of Georgia, within its internationally recognized borders, and to the necessity of defining the status of Abkhazia in strict accordance with these principles, and underlines the unacceptability of any action by the Abkhaz leadership in contravention of these principles;

4. *Reaffirms its full support* for the efforts of the Secretary-General and his Special Envoy aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia within the State of Georgia, respecting fully the sovereignty and territorial integrity of Georgia, as well as for the efforts that are being undertaken by the Russian Federation in its capacity as facilitator to continue to intensify the search for a peaceful settlement of the conflict, and encourages the Secretary-General to intensify his efforts, with the assistance of the Russian Federation as facilitator and with the support of the Organization for Security and Cooperation in Europe, to that end;

5. *Calls upon* the parties, in particular the Abkhaz side, to achieve substantive progress without further delay towards a comprehensive political settlement, and also calls upon them to cooperate fully with the efforts undertaken by the Secretary-General with the assistance of the Russian Federation as facilitator;

6. *Reaffirms* the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons of 4 April 1994,[4] condemns the continued obstruction of that return by the Abkhaz side, and stresses the unacceptability of any linkage of the return of refugees and displaced persons with the question of the political status of Abkhazia, Georgia;

7. *Demands* that the Abkhaz side accelerate significantly the process of voluntary return of refugees and displaced persons without delay or preconditions, in particular by accepting a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees, and also demands that it guarantee the safety of spontaneous returnees already in the area and regularize their status in cooperation with the Office of the High

[12] Ibid., *Supplement for July, August and September 1996.*

[13] Ibid., documents S/1996/507 and Add.1.

[14] Ibid., *Supplement for April, May and June 1996*, document S/1996/371, annex I.

Commissioner and in accordance with the Quadripartite Agreement, in particular in the Gali region;

8. *Recalls* the conclusions of the Budapest summit of the Conference on Security and Cooperation in Europe[6] regarding the situation in Abkhazia, Georgia, and affirms the unacceptability of the demographic changes resulting from the conflict;

9. *Condemns* ethnically motivated killings and other ethnically related acts of violence;

10. *Condemns* the laying of mines in the Gali region, which has already caused several deaths and injuries among the civilian population and the peacekeepers and observers of the international community, and calls upon the parties to take all measures in their power to prevent mine-laying and to cooperate fully with the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States in order to honour their commitments to ensure the safety and the freedom of movement of all personnel of the United Nations, the collective peacekeeping force and international humanitarian organizations;

11. *Encourages* the Secretary-General to take the necessary steps in response to the threat posed by the laying of mines in order to improve security conditions so as to minimize the danger to Mission personnel and to create conditions for the effective performance of the mandate of the Mission;

12. *Decides* to extend the mandate of the Mission for an additional period terminating on 31 January 1997, subject to a review by the Council of the mandate of the Mission in the event of any changes that may be made in the mandate of the collective peacekeeping force;

13. *Expresses its full support* for the implementation of a concrete programme for the protection and promotion of human rights in Abkhazia, Georgia, and requests the Secretary-General to report to the Council by 15 August 1996 on possible arrangements for the establishment of a human rights office in Sukhumi;

14. *Reiterates its encouragement* to States to contribute to the voluntary fund in support of the implementation of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[7] and/or for humanitarian aspects, including demining, as specified by the donors;

15. *Requests* the Secretary-General to consider the means of providing technical and financial assistance aimed at the reconstruction of the economy of Abkhazia, Georgia, following the successful outcome of the political negotiations;

16. *Also requests* the Secretary-General to continue to keep the Council regularly informed and to report after three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia, including the operations of the Mission;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3680th meeting.

Decision

At its 3707th meeting, on 22 October 1996, the Security Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General pursuant to Security Council resolution 1065 (1996) (S/1996/644);[12]

Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1996/843)".[15]

Resolution 1077 (1996) of 22 October 1996

The Security Council,

Recalling its resolutions 937 (1994) of 21 July 1994, 1036 (1996) of 12 January 1996 and 1065 (1996) of 12 July 1996,

Having considered the reports of the Secretary-General of 1 July[13] and 9 August 1996,[16]

Reiterating its full support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders,

1. *Welcomes* the report of the Secretary-General of 1 July 1996,[13] and in particular paragraph 18 thereof, and decides that the office referred to in this report shall form part of the United Nations Observer Mission in Georgia, under the authority of its head of Mission, consistent with the arrangements described in paragraph 7 of the report of the Secretary-General of 9 August 1996;[16]

2. *Requests* the Secretary-General to continue close cooperation with the Government of Georgia in determining the priorities of the programme referred to in the above-mentioned reports of the Secretary-General and close consultation in its implementation;

3. *Also requests* the Secretary-General to pursue the necessary follow-up arrangements with the Organization for Security and Cooperation in Europe.

Adopted at the 3707th meeting by 14 votes to none, with 1 abstention (China).

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[15] Ibid., *Supplement for October, November and December 1996.*

[16] Ibid., *Supplement for July, August and September 1996*, document S/1996/644.

Decision

At the 3707th meeting also, following the adoption of resolution 1077 (1996), the President of the Security Council made the following statement on behalf of the Council:[17]

"The Security Council has considered the report of the Secretary-General of 10 October 1996 concerning the situation in Abkhazia, Georgia.[18] It has also taken note of the letter dated 8 October 1996 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council.[19]

"The Council notes with deep concern that no significant progress has yet been achieved towards a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting the sovereignty and territorial integrity of Georgia within its internationally recognized borders.

"The Council reaffirms its full support for an active role of the United Nations, with the assistance of the Russian Federation as facilitator, aimed at achieving a comprehensive political settlement. In the context of the recent visit to the region of the Special Envoy of the Secretary-General, the Council requests the Secretary-General to undertake further efforts and make proposals to reinvigorate the stalled peace process.

"The Council stresses that the primary responsibility for achieving such reinvigoration of the peace process rests upon the parties themselves and calls upon them, in particular the Abkhaz side, to resume discussions and to reach substantive progress in the negotiations.

"The Council is deeply concerned by the deterioration of the situation in the Gali region and its negative impact on the ability of the United Nations Observer Mission in Georgia to meet its mandated tasks. The Council condemns mine-laying and other threats referred to in the report of the Secretary-General against the Mission and the collective peacekeeping force of the Commonwealth of Independent States. The Council calls upon both parties to take all the necessary steps to prevent all such acts.

"The Council calls upon both parties to respect the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[7] and expresses its concern at the violations referred to in the report of the Secretary-General, in particular the serious violations which recently occurred in the restricted weapons zone.

"The Council stresses that the ability of the international community to assist depends on the full cooperation of the parties, especially the fulfilment of their obligations regarding the safety and freedom of movement of international personnel.

"The Council is deeply concerned at the announcement made by the Abkhaz side that so-called parliamentary elections would be held on 23 November 1996. The holding of such elections would be possible only after the determination through negotiations of the political status of Abkhazia respecting the sovereignty and territorial integrity of Georgia within its internationally recognized borders, within the framework of a comprehensive political settlement, and with the guaranteed possibility of full participation for all refugees and displaced persons. The Council notes that conditions for holding such elections are not met at present. It calls upon the Abkhaz side to call off these elections and further calls upon both sides to refrain from any action that could heighten tension.

"The Council remains deeply concerned at the continued obstruction of the return of the refugees and displaced persons by the Abkhaz authorities, which is totally unacceptable.

"The Council welcomes the good cooperation between the Mission and the collective peacekeeping force and their efforts to promote stabilization of the situation in the zone of conflict.

"The Council requests the Secretary-General to continue to keep it closely informed of the situation."

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[17] S/PRST/1996/43.

[18] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/843.

[19] Ibid., document S/1996/835.

THE SITUATION IN THE MIDDLE EAST[1]

Decisions

Following consultations held on 22 January 1996, the President of the Security Council issued the following statement to the media on behalf of the members of the Council:[2]

> "The members of the Security Council warmly welcome the successful holding of the Palestinian elections on 20 January 1996, which constitutes a major step forward in the Middle East peace process. The members of the Council congratulate the Palestinian Authority and the Palestinian people on this achievement, which reflects credit on all concerned. The members of the Council note with satisfaction the conclusion of the international observers that the elections were an accurate reflection of the wishes of the Palestinian electorate.
>
> "The members of the Council consider that the holding of the elections marks a significant step towards the fulfilment of the Declaration of Principles on Interim Self-Government Arrangements, signed by Israel and the Palestine Liberation Organization in Washington, D.C. on 13 September 1993.[3] The members of the Council reiterate their full support for the Middle East peace process."

At its 3622nd meeting, on 29 January 1996, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) (S/1996/45)".[4]

Resolution 1039 (1996) of 29 January 1996

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General of 22 January 1996 on the United Nations Interim Force in Lebanon,[5] and taking note of the observations expressed therein,

Taking note of the letter dated 17 January 1996 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[6]

Responding to the request of the Government of Lebanon,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon for a further period of six months, that is, until 31 July 1996;

2. *Reiterates its strong support* for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;

3. *Re-emphasizes* the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978 ,[7] approved by resolution 426 (1978), and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. *Reiterates* that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

5. *Condemns* all acts of violence committed in particular against the Force, and urges the parties to put an end to them;

6. *Welcomes* the streamlining of the Force described in paragraph 16 of the report of the Secretary-General of 22 January 1996,[5] to be completed by May 1996, and stresses the need to continue efforts to achieve further savings by rationalizing the administrative and support services of the Force, provided they do not affect its operational capacity;

7. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report thereon to the Security Council.

Adopted unanimously at the 3622nd meeting.

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[1] Resolutions or decisions on this question have been adopted by the Council every year since 1967.

[2] S/PRST/1996/3.

[3] See *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[4] Ibid., *Fifty-first Year, Supplement for January, February and March 1996.*

[5] Ibid., document S/1996/45.

[6] Ibid., document S/1996/34.

[7] Ibid., *Thirty-third Year, Supplement for January, February and March 1978*, document S/12611

Decisions

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[8]

> "The Security Council has noted with appreciation the report of the Secretary-General of 22 January 1996 on the United Nations Interim Force in Lebanon, submitted in conformity with resolution 1006 (1995) of 28 July 1995.[5]
>
> "The Council reaffirms its commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, the Council asserts that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.
>
> "As the Council extends the mandate of the Force for a further interim period on the basis of resolution 425 (1978), it again stresses the urgent need for the implementation of that resolution in all its aspects. It reiterates its full support for the Taif Agreement of 22 October 1989 and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The Council commends the Lebanese Government for its successful effort to extend its authority in the south of the country in full coordination with the Force.
>
> "The Council expresses its concern over the continuing violence in southern Lebanon, regrets the loss of civilian life, and urges all parties to exercise restraint.
>
> "The Council takes this opportunity to express its appreciation for the continuing efforts of the Secretary-General and his staff in this regard and commends troops of the Force and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

Following consultations held on 4 March 1996, the President of the Security Council issued the following statement to the media on behalf of the members of the Council:[9]

> "The members of the Security Council condemn the terrorist attacks in Jerusalem on 3 March and in Tel Aviv on 4 March. They extend their sympathy and deepest condolences to the Government and people of Israel and to the families of the victims. They wish a speedy recovery of the wounded.
>
> "These vile acts had the clear purpose of trying to undermine Middle East peace efforts through such terror. The members of the Council reiterate their support for the peace process and call upon the parties to consolidate it and to increase their cooperation in curbing violence and combating such terrorism."

At its 3653rd meeting, on 15 April 1996, the Council decided to invite the representatives of Afghanistan, Algeria, Colombia, Cuba, the Islamic Republic of Iran, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Pakistan, Saudi Arabia, the Syrian Arab Republic, Tunisia, Turkey and the United Arab Emirates to participate, without vote, in the discussion of the item entitled:

> "The situation in the Middle East
>
> > "Letter dated 13 April 1996 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/1996/280)".[10]

At its 3654th meeting, on 18 April 1996, the Council decided to invite, in addition to those invited previously at the 3653rd meeting, the representatives of Bahrain, Canada, the Comoros, Djibouti, Iraq, Ireland, Japan, Mauritania, Norway, Oman, Qatar, the Sudan and Yemen to participate, without vote, in the discussion of the item discussed at the 3653rd meeting.

Resolution 1052 (1996) of 18 April 1996

The Security Council,

Recalling all its previous relevant resolutions regarding the situation in Lebanon, including resolution 425 (1978) of 19 March 1978 by which it established the United Nations Interim Force in Lebanon,

Taking note of the letters dated 13 April 1996 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council,[11]

Bearing in mind the debate which took place at its 3653rd meeting on 15 April 1996 on the situation in the Middle East,[12]

Gravely concerned at the consequences which the ongoing fighting could have for the peace and security of the region and for the furthering of the peace process in the Middle East, and affirming its full support for that process,

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[8] S/PRST/1996/5.

[9] S/PRST/1996/10.

[10] See *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*.

[11] Ibid., documents S/1996/280 and S/1996/281.

[12] See S/PV.3653. For the final text, see *Official Records of the Security Council, Fifty-first Year*, 3653rd meeting.

Gravely concerned also at all attacks on civilian targets, including residential areas, and at the loss of life and suffering among civilians,

Stressing the need for all concerned to respect fully the rules of international humanitarian law with regard to the protection of civilians,

Gravely concerned at actions which seriously threaten the safety of the Force and impede the implementation of its mandate, and deploring in particular the incident on 18 April 1996 in which shelling resulted in heavy loss of life among civilians at a site of the Force,

1. *Calls for* an immediate cessation of hostilities by all parties;

2. *Supports* the ongoing diplomatic efforts to this end;

3. *Reaffirms its commitment* to the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries and to the security of all States in the region, and calls upon all concerned fully to respect those principles;

4. *Calls upon* all concerned to respect the safety and security of civilians;

5. *Also calls upon* all concerned to respect the safety, security and freedom of movement of the United Nations Interim Force in Lebanon and to allow it to fulfil its mandate without any obstacle or interference;

6. *Calls upon* Member States to offer humanitarian assistance to alleviate the suffering of the population and to assist the Government of Lebanon in the reconstruction of the country, and requests the Secretary-General to ensure that the United Nations and its agencies play their part in meeting the humanitarian needs of the civilian population;

7. *Requests* the Secretary-General to keep the Council informed of developments on a continuing basis;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 3654th meeting.

Decision

At its 3669th meeting, on 30 May 1996, the Security Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1996/368)".[10]

Resolution 1057 (1996) of 30 May 1996

The Security Council,

Having considered the report of the Secretary-General of 23 May 1996 on the United Nations Disengagement Observer Force,[13]

Decides:

(*a*) To call upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

(*b*) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1996;

(*c*) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 3669th meeting.

Decisions

At the 3669th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[14]

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

"As is known, the report of the Secretary-General of 23 May 1996 on the United Nations Disengagement Observer Force[13] states, in paragraph 14: 'Despite the present quiet in the Israel-Syria sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached.' That statement of the Secretary-General reflects the view of the Security Council."

At its 3685th meeting, on 30 July 1996, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/1996/575)".[15]

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[13] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/368.

[14] S/PRST/1996/27.

[15] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996.*

Resolution 1068 (1996)
of 30 July 1996

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General of 20 July 1996 on the United Nations Interim Force in Lebanon,[16] and taking note of the observations expressed and the commitments mentioned therein,

Taking note of the letter dated 18 July 1996 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[17]

Responding to the request of the Government of Lebanon,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon for a further period of six months, that is, until 31 January 1997;

2. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

3. *Re-emphasizes* the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978,[7] approved by resolution 426 (1978), and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. *Reiterates* that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

5. *Condemns* all acts of violence committed in particular against the Force, and urges the parties to put an end to them;

6. *Welcomes* the completion of the streamlining of the Force described in paragraph 33 of the report of the Secretary-General, and encourages further efficiency and savings provided they do not affect the operational capacity of the Force;

7. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Adopted unanimously at the 3685th meeting.

[16] Ibid., document S/1996/575.

[17] Ibid., document S/1996/566.

Decisions

At the 3685th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[18]

"The Security Council has noted with appreciation the report of the Secretary-General of 20 July 1996 on the United Nations Interim Force in Lebanon, submitted in conformity with resolution 1039 (1996) of 29 January 1996.[16]

"The Council reaffirms its commitment to the full sovereignty, political independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, the Council asserts that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

"As the Council extends the mandate of the Force for a further interim period on the basis of resolution 425 (1978), it again stresses the urgent need for the implementation of that resolution in all its aspects. It reiterates its full support for the Taif Agreement of 22 October 1989 and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The Council commends the Lebanese Government for its successful effort to extend its authority in the south of the country in full coordination with the Force.

"The Council expresses its concern over the continuing violence in southern Lebanon, regrets the loss of civilian life, and urges all parties to exercise restraint.

"The Council takes this opportunity to express its appreciation for the continuing efforts of the Secretary-General and his staff in this regard and commends troops of the Force and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

On 6 September 1996, the President of the Security Council addressed the following letter to the Secretary-General:[19]

"I have the honour to inform you that your letter dated 26 August 1996 concerning the composition of the United Nations Interim Force in Lebanon[20] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and agree with the proposal mentioned therein."

[18] S/PRST/1996/33.

[19] S/1996/726.

[20] S/1996/725.

At the 3715th meeting, on 27 November 1996, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1996/959 and Corr.1)".[21]

Resolution 1081 (1996) of 27 November 1996

The Security Council,

Having considered the report of the Secretary-General of 18 November 1996 on the United Nations Disengagement Observer Force,[22]

Decides:

(*a*) To call upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

(*b*) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1997;

(*c*) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 3715th meeting.

Decision

At the 3715th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[23]

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

"As is known, the report of the Secretary-General of 18 November 1996 on the United Nations Disengagement Observer Force[22] states, in paragraph 13: 'Despite the present quiet in the Israel-Syria sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached.' That statement of the Secretary-General reflects the view of the Security Council."

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[21] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996.*

[22] Ibid., document S/1996/959.

[23] S/PRST/1996/45.

THE SITUATION IN SOMALIA[1]

Decisions

At its 3620th meeting, on 24 January 1996, the Security Council considered the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/1996/42)".[2]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

"The Security Council has considered the report of the Secretary-General of 19 January 1996 on the situation in Somalia[4] and is deeply concerned about the absence of any credible progress towards national reconciliation. It calls upon all Somali political leaders and parties to return to an inclusive process of consultation and

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993, 1994 and 1995.

[2] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[3] S/PRST/1996/4.

[4] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/42.

negotiation aimed at national reconciliation leading to the establishment of a broad-based national government.

"The Council welcomes with appreciation the efforts of the Organization of African Unity, the Organization of the Islamic Conference, the League of Arab States, the European Union and neighbouring States in promoting national dialogue in the search for a solution to the Somali crisis. These efforts demonstrate the commitment of the international community not to abandon the people of Somalia. It reaffirms that the people of Somalia bear ultimate responsibility for achieving national reconciliation and restoring peace. In this respect, the Council urges the leaders of Somali factions to reject violence and place the interests of the country and people above their personal differences and political ambitions.

"The Council also welcomes and supports the intention of the Secretary-General to maintain the United Nations Political Office for Somalia. It stresses the importance of the Office maintaining close cooperation with the regional organizations, monitoring developments in Somalia and continuing contacts with Somali factions. It looks forward to the return of the Office to Somalia as soon as circumstances permit.

"The Council expresses deep concern at the continuing conflict. The resulting insecurity, banditry and general lawlessness increase the suffering of the civilian population. The Council condemns the harassment, beatings, abduction and killings of personnel of international humanitarian organizations, and underlines the responsibility of all parties in Somalia for ensuring the safety and security of humanitarian and other international personnel. This atmosphere of insecurity has regrettably forced the United Nations agencies to relocate international personnel thus hindering the smooth delivery of much needed humanitarian assistance.

"The Council commends the valiant efforts of United Nations and international humanitarian agencies and their Somali personnel for the courage and determination to render assistance to the people of Somalia. The Council encourages Member States to continue to provide humanitarian assistance in order to avoid a further deterioration of the current situation.

"The Council considers the uninterrupted delivery of humanitarian assistance to be a crucial factor in the overall security and stability of Somalia. In this respect, the closure of the Mogadishu main seaport and other transportation facilities severely aggravates the present situation and poses a potential major impediment to future emergency deliveries. The Council calls upon the Somali parties and factions to open those facilities unconditionally.

"The Council reminds all States of their obligation to implement fully the general and complete embargo imposed by paragraph 5 of resolution 733 (1992) on all deliveries of weapons and military equipment to Somalia. In this respect, it calls upon all States to refrain from any actions which might exacerbate the situation in Somalia.

"The Council requests the Secretary-General to continue to keep it informed about developments in Somalia. The Council remains seized of the matter."

At its 3641st meeting, on 15 March 1996, the Council decided to invite the representatives of Algeria, Djibouti, Ethiopia, Guinea, India, Jordan, Kenya, Morocco, Pakistan, Rwanda, Swaziland, Tunisia, Uganda and Zimbabwe to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, the Council decided, at the request of the representative of Guinea-Bissau,[5] to extend an invitation to Mr. Ibrahima Sy, Permanent Observer of the Organization of African Unity to the United Nations, under rule 39 of the Council's provisional rules of procedure.

At its 3726th meeting, on 20 December 1996, the Council considered the item entitled "The situation in Somalia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[6]

"The Security Council is gravely concerned at the resumption of fighting in Mogadishu, where the latest clashes are taking an increasingly heavy toll in human lives. It is deeply concerned, in particular, at the plight of the civilian population, whose suffering is increased even further by the fighting.

"The Council calls upon all Somali factions to cease immediately all hostilities and to restore an effective ceasefire.

"The Council fully supports the efforts of the countries of the region as well as of international and regional organizations, in particular the Organization of African Unity and the League of Arab States, to facilitate a political settlement of the crisis in Somalia. It appeals to all Somali factions to join in such efforts and to start a process of national reconciliation aimed at the establishment of a broad-based national Government.

"The Council reaffirms its commitment to a lasting solution to the crisis in Somalia and encourages the Secretary-General to continue to monitor closely the situation and to report to the Council on any further development.

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[5] Document S/1996/196, incorporated in the record of the 3641st meeting.

[6] S/PRST/1996/47.

"The Council once again reminds all States of their obligations to implement fully the general and complete embargo imposed by resolution 733 (1992) on all deliveries of weapons and military equipment to Somalia.

"The Council reaffirms its appreciation to all the organizations and individuals who carry out humanitarian activities in Somalia and calls upon all Somali factions to ensure the safety of all the personnel involved."

THE SITUATION IN LIBERIA[1]

Decisions

At its 3621st meeting, on 25 January 1996, the Security Council decided to invite the representatives of Côte d'Ivoire, the Czech Republic, Ethiopia, Gambia, Ghana, Guinea, Liberia, Nigeria, Senegal, Swaziland, Togo and Tunisia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Fifteenth progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1996/47 and Add.1)".[2]

At its 3624th meeting, on 29 January 1996, the Council considered the item discussed at its 3621st meeting.

Resolution 1041 (1996) of 29 January 1996

The Security Council,

Recalling all its previous resolutions concerning the situation in Liberia, in particular resolution 1020 (1995) of 10 November 1995,

Having considered the report of the Secretary-General of 23 January 1996 on the United Nations Observer Mission in Liberia,[3]

Commending the positive role of the Economic Community of West African States in its continuing efforts to restore peace, security and stability in Liberia,

Expressing its grave concern about the recent incidence of ceasefire violations and attacks on troops of the Economic Community of West African States Monitoring Group, as well as continuing delays in the process of disengagement and disarmament of forces,

Stressing the need for all parties to the Abuja Agreement[4] to adhere strictly to its terms and expedite its implementation,

Emphasizing once again that the people of Liberia and their leaders bear the ultimate responsibility for achieving peace and national reconciliation,

Expressing its appreciation to those African States which have contributed and are contributing troops to the Monitoring Group,

Commending those Member States which have provided assistance in support of the peace process and to the Monitoring Group, including contributions to the United Nations Trust Fund for Liberia,

1. *Welcomes* the report of the Secretary-General of 23 January 1996;[3]

2. *Decides* to extend the mandate of the United Nations Observer Mission in Liberia until 31 May 1996;

3. *Calls upon* all the Liberian parties to respect and implement fully and expeditiously all the agreements and commitments they have already entered into, in particular the provisions of the Abuja Agreement[4] with regard to the maintenance of the ceasefire, disarmament and demobilization of combatants, and national reconciliation;

4. *Condemns* the recent armed attacks against personnel of the Economic Community of West African States Monitoring Group and against civilians, and demands that such hostile acts cease forthwith;

5. *Expresses its condolences* to the Governments and peoples of the countries members of the Monitoring Group and the families of the Monitoring Group personnel who have lost their lives;

6. *Demands once more* that all factions in Liberia strictly respect the status of Monitoring Group and Mission personnel, as well as organizations and agencies delivering humanitarian assistance throughout Liberia, and also demands that these factions facilitate such deliveries and that they strictly abide by the relevant rules of international humanitarian law;

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[1] Resolutions or decisions on this question were also adopted by the Council in 1991, 1992, 1993, 1994 and 1995.

[2] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[3] Ibid., documents S/1996/47 and Add.1.

[4] Ibid., *Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/742.

7. *Urges* all Member States to provide financial, logistical and other assistance in support of the Monitoring Group to enable it to carry out its mandate, particularly with respect to disarmament of the Liberian factions;

8. *Stresses* that continued support by the international community for the peace process in Liberia, including the participation of the Mission, is contingent on the demonstrated enduring commitment by the Liberian parties to resolve their differences peacefully and to achieve national reconciliation in line with the peace process;

9. *Requests* the Secretary-General to submit by 31 March 1996 a progress report on the situation in Liberia, in particular the progress in disarmament and demobilization, and in planning for elections;

10. *Calls upon* the Monitoring Group, in accordance with the agreement regarding the respective roles and responsibilities of the Mission and the Group in the implementation of the Cotonou Agreement[5] and with the concept of operations of the Mission, to intensify the action necessary to provide security for Mission observers and civilian staff;

11. *Stresses* the need for close contacts and enhanced coordination between the Mission and the Monitoring Group in their operational activities at all levels;

12. *Urges* Member States to continue to provide additional support for the peace process in Liberia by contributing to the United Nations Trust Fund for Liberia;

13. *Stresses* the importance of respect for human rights in Liberia as well as the need to rehabilitate promptly the penitentiary system in this country;

14. *Reminds* all States of their obligations to comply strictly with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) of 19 November 1992 and to bring all instances of violations of the embargo before the Security Council Committee established pursuant to resolution 985 (1995) of 13 April 1995;

15. *Expresses its appreciation* to the Secretary-General, his Special Representative and all Mission personnel for their tireless efforts to bring peace and reconciliation to Liberia;

16. *Decides* to remain seized of the matter.

Adopted unanimously at the 3624th meeting.

Decisions

At its 3649th meeting, on 9 April 1996, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled "The situation in Liberia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[6]

"The Security Council expresses its grave concern at the outbreak of fighting in Monrovia and the rapidly deteriorating situation throughout Liberia. This new outbreak of factional fighting, and the harassment and abuse of the civilian population and humanitarian and relief workers, threaten the peace process and raises serious doubts about the commitment of the factions to its implementation.

"The Council reminds all parties of their responsibility fully to respect international humanitarian law with regard to the civilian population and to ensure the safety of United Nations and other international personnel, and calls upon them to take immediate steps to this end. The Council calls upon all parties to fulfil their obligation to respect the inviolability of diplomatic personnel and property.

"The Council expresses its deep concern at the failure of the Council of State and the faction leaders to demonstrate the political will and determination required for implementation of the Abuja Agreement.[4] Unless Liberia's political leaders immediately show by concrete positive actions a reaffirmation of their commitment to the Abuja Agreement and fully honour their obligation to re-establish and maintain the ceasefire, they risk losing the support of the international community. The Council underscores the personal responsibility of Liberia's leaders in this regard.

"The Council reaffirms its support for the Abuja Agreement as the only existing framework for resolving Liberia's political crisis and the crucial role of the Economic Community of West African States in bringing the conflict to an end.

"The Council calls upon the Liberian National Transitional Government and the Liberian parties to work with the Economic Community of West African States Monitoring Group immediately to disengage all forces, re-establish peace and law and order in Monrovia and an effective and comprehensive ceasefire throughout the country. The Council calls upon the parties, in particular the wing of the United Liberation Movement of Liberia for Democracy that is known as ULIMO-J, to release all hostages without harm. It further calls upon the parties to return all captured weapons and equipment to the Monitoring Group.

"The Council reminds all States of their obligation to comply strictly with the embargo on all deliveries of weapons and military equipment to Liberia imposed by

[5] Ibid., *Forty-eighth Year, Supplement for July, August and September 1993*, document S/26272.

[6] S/PRST/1996/16.

resolution 788 (1992) and to bring all instances of violations of the arms embargo before the Security Council Committee established pursuant to resolution 985 (1995).

"The Council declares its intention, based on the progress made by the Liberian parties in implementing the steps set out above, and after consideration of the report of the Secretary-General on developments in Liberia, to determine what further measures may be appropriate regarding the future United Nations presence in Liberia."

At its 3661st meeting, on 6 May 1996, the Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled "The situation in Liberia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[7]

"The Security Council expresses once again its grave concern at the deteriorating situation in Liberia. The Council strongly deplores the wanton killing and atrocities committed against innocent civilians by the forces of the warring factions. The escalating violence among the factions in violation of the Abuja Agreement[4] puts the peace process at grave risk.

"The Council calls upon the parties immediately to cease fighting, to observe the ceasefire and to return Monrovia to a safe haven under the protection of the Economic Community of West African States Monitoring Group. It expresses its support for the efforts of the Economic Community of West African States, including the role of the Monitoring Group, to bring this conflict to an end.

"The Council regrets that the deterioration of the situation in Liberia has forced the evacuation of significant numbers of personnel of the United Nations Observer Mission in Liberia. The Council reminds all States of their obligation to comply with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992).

"The Council stresses the importance it attaches to the summit meeting of the Economic Community of West African States to be held in Accra on 8 May 1996 and urges the leaders of the Liberian factions to reaffirm by concrete positive actions their commitment to the Abuja Agreement."

At its 3667th meeting, on 28 May 1996, the Council decided to invite the representatives of Algeria, Djibouti, Ghana, Liberia, Nigeria, Zambia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Seventeenth progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1996/362)".[8]

At its 3671st meeting, on 31 May 1996, the Council considered the item discussed at its 3667th meeting.

Resolution 1059 (1996)
of 31 May 1996

The Security Council,

Recalling all its previous resolutions concerning the situation in Liberia, in particular resolution 1041 (1996) of 29 January 1996,

Having considered the report of the Secretary-General of 21 May 1996 on the United Nations Observer Mission in Liberia,[9]

Stressing that the escalating violence is in violation of the Abuja Agreement[4] and puts the peace process at grave risk,

Firmly convinced of the importance of Monrovia as a safe haven, and noting especially the recent broader deployment of the Economic Community of West African States Monitoring Group in the city,

Emphasizing once again that the people of Liberia and their leaders bear the ultimate responsibility for achieving peace and national reconciliation,

Commending the positive role of the Economic Community of West African States in its continuing efforts to restore peace, security and stability in Liberia,

Noting the adoption of a mechanism for returning Liberia to the Abuja Agreement by the Ministers for Foreign Affairs of countries members of the Economic Community of West African States on 7 May 1996,[10]

Expressing its appreciation to those African States that have contributed and are contributing troops to the Monitoring Group,

Commending those Member States that have supported the peace process and the Monitoring Group, including through contributions to the United Nations Trust Fund for Liberia,

Stressing that the presence of the Mission in Liberia is predicated on the presence of the Monitoring Group and its commitment to ensuring the safety of military observers and civilian staff of the Mission,

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[7] S/PRST/1996/22.

[8] See *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996.*

[9] Ibid., document S/1996/362.

[10] Ibid., document S/1996/377.

1. *Welcomes* the report of the Secretary-General of 21 May 1996;[9]

2. *Decides* to extend the mandate of the United Nations Observer Mission in Liberia until 31 August 1996;

3. *Recognizes* that the deterioration of the security situation on the ground warranted the decision of the Secretary-General to reduce temporarily the strength of the Mission;

4. *Notes* the intention of the Secretary-General to maintain Mission deployments at their present level, and requests that he advise the Security Council of any significant planned increase in the number of personnel deployed depending on the evolution of the security situation on the ground;

5. *Expresses its grave concern* at the collapse of the ceasefire, the resumption of hostilities and the spread of fighting into the previously safe area of Monrovia and its environs;

6. *Condemns* all attacks against personnel of the Economic Community of West African States Monitoring Group, the Mission and international organizations and agencies delivering humanitarian assistance, as well as the looting of their equipment, supplies and personal property, and calls for the immediate return of looted property;

7. *Demands once more* that the factions in Liberia strictly respect the status of Monitoring Group and Mission personnel, as well as international organizations and agencies delivering humanitarian assistance throughout Liberia, and also demands that these factions facilitate such deliveries and that they strictly abide by the relevant rules of international humanitarian law;

8. *Calls upon* the Liberian parties to implement fully and expeditiously all the agreements and commitments they have already entered into, in particular the Abuja Agreement,[4] and in this regard demands that they restore an effective and comprehensive ceasefire, withdraw all fighters and arms from Monrovia, allow the deployment of the Monitoring Group and restore Monrovia as a safe haven;

9. *Stresses* that continued support by the international community for the peace process in Liberia, including the participation of the Mission, is contingent on the Liberian parties demonstrating their commitment to resolving their differences peacefully and on the fulfilment of the conditions set out in paragraph 8 above;

10. *Stresses* the importance of respect for human rights in Liberia;

11. *Recalls* the obligation of all States to comply strictly with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) of 19 November 1992 and to bring all instances of violations of the embargo before the Security Council Committee established pursuant to resolution 985 (1995) of 13 April 1995;

12. *Encourages* the members of the Economic Community of West African States, in preparation for their summit, to consider ways and means to strengthen the Monitoring Group and to persuade the faction leaders to resume the peace process;

13. *Urges* all Member States to provide financial, logistical and other assistance in support of the Monitoring Group to enable it to carry out its mandate;

14. *Calls upon* the Monitoring Group, in accordance with the agreement regarding the respective roles and responsibilities of the Mission and the Group in the implementation of the Cotonou Agreement[5] and with the concept of operations of the Mission, to provide for the security of Mission observers and civilian staff;

15. *Expresses support* for the resolve of the ministers of the countries members of the Economic Community of West African States not to recognize any Government in Liberia that comes to office through the use of force;

16. *Urges* Member States to continue to provide additional support for the peace process in Liberia by contributing to the United Nations Trust Fund for Liberia;

17. *Requests* the Secretary-General to continue to keep the Security Council closely informed of the situation in Liberia, and expresses its readiness, if the situation further deteriorates, to consider possible measures against those who do not cooperate with the resumption of the peace process;

18. *Decides* to remain seized of the matter.

Adopted unanimously at the 3671st meeting.

Decision

At its 3694th meeting, on 30 August 1996, the Security Council decided to invite the representatives of Liberia and Nigeria to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Eighteenth progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1996/684)".[11]

Resolution 1071 (1996) of 30 August 1996

The Security Council,

Recalling all its previous resolutions concerning the situation in Liberia, in particular resolution 1059 (1996) of 31 May 1996,

[11] Ibid., *Supplement for July, August and September 1996.*

Having considered the report of the Secretary-General of 22 August 1996 on the United Nations Observer Mission in Liberia,[12]

Taking note of the letter dated 21 August 1996 from the representative of Nigeria to the President of the Security Council containing the final communiqué issued at the fourth meeting of heads of State and Government of the Committee of Nine on Liberia of the Economic Community of West African States, held at Abuja on 17 August 1996,[13]

Welcoming the increasing restoration of Monrovia as a safe haven,

Emphasizing once again that the people of Liberia and their leaders bear the ultimate responsibility for achieving peace and national reconciliation,

Recognizing the positive role of the Economic Community of West African States in its efforts to restore peace, security and stability in Liberia,

Expressing its appreciation to those African States contributing troops to the Economic Community of West African States Monitoring Group,

Commending those Member States that have supported the peace process, the Mission and the Monitoring Group, including through contributions to the United Nations Trust Fund for Liberia,

Stressing that the continued presence of the Mission in Liberia is predicated on the presence of the Monitoring Group and its commitment to ensuring the safety of the Mission, and emphasizing the need for enhanced coordination between the Mission and the Monitoring Group,

1. *Welcomes* the report of the Secretary-General of 22 August 1996;[12]

2. *Decides* to extend the mandate of the United Nations Observer Mission in Liberia until 30 November 1996;

3. *Welcomes* the agreement of the Economic Community of West African States in Abuja on 17 August 1996,[13] which extended the Abuja Agreement of 1995[4] until 15 June 1997, established a timetable for implementation of the Agreement, adopted a mechanism to verify compliance by the faction leaders with the Agreement and proposed possible measures against the factions in the event of non-compliance;

4. *Calls upon* the Liberian factions to implement fully and expeditiously all the agreements and commitments they have entered into;

5. *Requests* the Secretary-General to report to the Security Council by 15 October 1996 with proposals for assistance which the Mission or other United Nations agencies could provide in support of the Liberian peace process, including support for the election process, disarmament, demobilization, and verification of compliance by the factions;

6. *Decides* to maintain Mission deployments at an appropriate level as recommended in the report of the Secretary-General, and requests that the Secretary-General take into account the need to ensure the security of Mission personnel and advise the Council of any planned further deployments;

7. *Stresses* that the continued support of the international community for the peace process in Liberia, including the participation of the Mission, is contingent on the Liberian factions demonstrating their commitment to resolving their differences peacefully and to achieving national reconciliation in accordance with the agreement reached in Abuja on 17 August 1996;

8. *Condemns* all attacks against and intimidation of personnel of the Monitoring Group, the Mission and the international organizations and agencies delivering humanitarian assistance, as well as the looting of their equipment, supplies and personal property, calls upon the leaders of the factions to ensure the immediate return of looted property, and requests the Secretary-General to include in the report referred to in paragraph 5 above information on how much of the stolen property has been returned;

9. *Condemns* the practice of some factions of recruiting, training, and deploying children for combat, and requests the Secretary-General to include in the report referred to in paragraph 5 above details on this inhumane and abhorrent practice;

10. *Demands once more* that the factions and their leaders strictly respect the status of the personnel of the Monitoring Group, the Mission and international organizations and agencies, including humanitarian assistance workers, and also demands that these factions facilitate the freedom of movement of the Mission and the delivery of humanitarian assistance and that they strictly abide by the relevant principles and rules of international humanitarian law;

11. *Stresses* the importance of respect for human rights in Liberia and also the human rights aspect of the Mission's mandate;

12. *Stresses also* the obligation of all States to comply strictly with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) of 19 November 1992, to take all actions necessary to ensure strict implementation of the embargo, and to bring all instances of violations of the embargo before the Security Council Committee established pursuant to resolution 985 (1995) of 13 April 1995;

13. *Urges* all States to provide financial, logistical and other assistance in support of the Monitoring Group to assist it in carrying out its mandate;

14. *Also urges* all States to contribute to the United Nations Trust Fund for Liberia;

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[12] Ibid., document S/1996/684.

[13] Ibid., document S/1996/679.

15. *Stresses* the importance of close contacts and enhanced coordination between the Mission and the Monitoring Group in their operational activities at all levels, and calls upon the Monitoring Group, in accordance with the agreement regarding the respective roles and responsibilities of the Mission and the Group in the implementation of the Cotonou Agreement[5] and with the concept of operations of the Mission, to provide security for the Mission;

16. *Requests* the Secretary-General to continue to keep the Security Council closely informed of the situation in Liberia;

17. *Decides* to remain seized of the matter.

Adopted unanimously at the 3694th meeting.

Decisions

On 28 October 1996, the President of the Security Council addressed the following letter to the Secretary-General:[14]

> "I have the honour to inform you that your letter dated 23 October 1996 concerning additions to the list of Member States providing military observers to the United Nations Observer Mission in Liberia[15] has been brought to the attention of the members of the Security Council.
>
> "They agree with the proposal contained in the letter."

On 8 November 1996, the President of the Security Council addressed the following letter to the Secretary-General:[16]

> "The members of the Security Council welcome the proposals put forth in your report of 17 October 1996[17] on the type of assistance the United Nations Observer Mission in Liberia could provide in support of the peace process in Liberia. The members of the Council remain concerned, however, that conditions in Liberia may not be right for the implementation of these proposals at this time, given continued insecurity in some parts of the country.
>
> "The members of the Council, therefore, encourage you to make all appropriate arrangements necessary to carry out these proposals, *inter alia*, examining methods used in other peacekeeping operations. The Council understands that you will follow the situation in Liberia closely and will not deploy the additional personnel and logistic resources needed to implement these proposals unless the factions take the concrete steps required to fulfil the commitments they have entered into under the revised timetable of the Abuja Agreement.[4]
>
> "The members of the Council request you to advise it of any developments in this regard, either in the context of your next report or earlier if necessary."

On 25 November 1996, the President of the Security Council addressed the following letter to the Secretary-General:[18]

> "I have the honour to inform you that your letter dated 20 November 1996 concerning your intention to appoint Major-General Srikander Shami, of Pakistan, as Chief Military Observer of the United Nations Observer Mission in Liberia to succeed Major-General Mahmoud Talha of Egypt[19] has been brought to the attention of the members of the Security Council. They welcome the proposal contained in your letter."

At its 3717th meeting, on 27 November 1996, the Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia:

> "Twentieth progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1996/962)".[20]

Resolution 1083 (1996) of 27 November 1996

The Security Council,

Recalling its previous resolutions concerning the situation in Liberia, in particular resolution 1071 (1996) of 30 August 1996,

Welcoming the report of the Secretary-General of 19 November 1996,[21]

Noting with grave concern the continued violations by the factions of the ceasefire as agreed to in the Abuja Agreement of 19 August 1995[4] and in the timetable for implementation established on 17 August 1996[13] when the Abuja Agreement was extended, which threaten the prospects for peace in Liberia,

Welcoming the beginning of the disarmament process on 22 November 1996 in accordance with the amended

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[14] S/1996/882.

[15] S/1996/881.

[16] S/1996/917.

[17] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, documents S/1996/858 and Add.1.

[18] S/1996/972.

[19] S/1996/971.

[20] See *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996.*

[21] Ibid., document S/1996/962.

implementation schedule of the Abuja Agreement, and urging all factions to participate as they have agreed,

Reiterating that the people of Liberia and their leaders bear the ultimate responsibility for achieving peace and national reconciliation,

Noting with appreciation the active efforts of the Economic Community of the West African States to restore peace, security and stability to Liberia, and commending the African States which have contributed to the Economic Community of West African States Monitoring Group,

Expressing its appreciation to those States which have supported the United Nations Military Observer Mission in Liberia and those which have contributed to the United Nations Trust Fund for Liberia,

Emphasizing that the continued presence of the Mission is predicated on the presence of the Monitoring Group and its commitment to ensuring the safety of the Mission,

1. *Calls upon* the Liberian factions to cease hostilities immediately and to implement the commitments they have entered into, especially the agreement of the Economic Community of West African States in Abuja of 17 August 1996,[13] which established a timetable for implementation of the Abuja Agreement,[4] adopted a mechanism to verify compliance by the faction leaders with the Agreement and proposed possible measures against the factions in the event of non-compliance;

2. *Urges* the factions to complete on time the disarmament process, which is one of the key steps leading up to the forthcoming elections in 1997;

3. *Stresses* the urgent need for the international community to support the work and training projects to help to ensure the social and economic rehabilitation of demobilized combatants;

4. *Decides* to extend the mandate of the United Nations Observer Mission in Liberia until 31 March 1997;

5. *Decides also* to maintain Mission deployments at an appropriate level as recommended in paragraph 37 of the report of the Secretary-General,[21] and requests that the Secretary-General, taking into account the need to ensure the security of Mission personnel, advise the Council of any planned further deployments;

6. *Condemns in the strongest possible terms* the practice of recruiting, training and deploying children for combat, and demands that the warring parties immediately cease this inhumane and abhorrent activity and release all child soldiers for demobilization;

7. *Condemns* all attacks against and intimidation of personnel of the Monitoring Group, the Mission and the international organizations and agencies delivering humanitarian assistance, as well as the looting of their equipment, supplies and personal property, and calls upon the leaders of the factions to return stolen property;

8. *Demands* that the factions facilitate the freedom of movement of the Mission, the Monitoring Group and international organizations and agencies and the safe delivery of humanitarian assistance, and that they strictly abide by the principles and rules of international humanitarian law;

9. *Stresses* the importance of respect for human rights in Liberia, and emphasizes the human rights aspect of the Mission's mandate;

10. *Stresses also* the obligation of all States to comply strictly with the embargo on the deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) of 19 November 1992, to take all actions necessary to ensure strict implementation of the embargo, and to bring all instances of violations of the embargo before the Security Council Committee established pursuant to resolution 985 (1995) of 13 April 1995;

11. *Reiterates strongly* its appeal to all States to provide financial, logistical and other assistance in support of the Monitoring Group to assist it in carrying out its mission and to contribute to the United Nations Trust Fund for Liberia in order to help to implement the peace process, including demobilization and reintegration;

12. *Stresses* the importance of close contacts and enhanced coordination between the Mission and the Monitoring Group at all levels, and calls upon the Monitoring Group, in accordance with the agreement regarding the respective roles and responsibilities of the Mission and the Group in the implementation of the Cotonou Agreement[5] and with the concept of operations of the Mission, to provide security for the Mission;

13. *Requests* the Secretary-General to keep the Council informed of the situation in Liberia, especially on the progress of demobilization and disarmament, and to submit by 31 January 1997 a progress report and recommendations on possible United Nations support for the holding of free and fair elections;

14. *Decides* to remain seized of the matter.

Adopted unanimously at the 3717th meeting.

THE SITUATION CONCERNING WESTERN SAHARA[1]

Decision

At its 3625th meeting, on 31 January 1996, the Security Council considered the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/1996/43 and Corr.1)".[2]

Resolution 1042 (1996) of 31 January 1996

The Security Council,

Reaffirming all its previous resolutions on the question of Western Sahara,

Having considered the report of the Secretary-General of 19 January 1996,[3]

Welcoming in this context the visit to the region by the Special Envoy of the Secretary-General from 2 to 9 January 1996,

Noting the views expressed by the Government of Morocco as set out in the report of the Secretary-General,

Noting also the views expressed by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro as set out in the report of the Secretary-General,

Reconfirming its commitment to assist the parties in achieving a just and lasting solution to the question of Western Sahara,

Reiterating the fact that, for progress to be achieved, the two parties must have a vision of the post-referendum period,

1. *Reiterates its commitment* to the holding, without further delay, of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan[4] which has been accepted by the two parties referred to above;

2. *Welcomes* the report of the Secretary-General of 19 January 1996;[3]

3. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 May 1996;

4. *Expresses deep concern* about the stalemate which has been hindering the identification process and the consequent lack of progress towards completion of the settlement plan;

5. *Calls upon* the two parties to cooperate with the Secretary-General and the Mission in resuming the identification process, overcoming obstacles hindering completion of that process, and implementing all other aspects of the settlement plan, in accordance with the relevant resolutions;

6. *Encourages* the two parties to consider additional ways to create confidence between themselves and to facilitate the implementation of the settlement plan;

7. *Supports* the intention of the Secretary-General, in the absence of meaningful progress towards completion of the settlement plan, to bring the situation to the immediate attention of the Council, and invites the Secretary-General in this eventuality to submit for consideration a detailed programme for a phased withdrawal of the Mission, in accordance with the second option contained in his report of 19 January 1996;[5]

8. *Requests* the Secretary-General to submit a report by 15 May 1996 on the implementation of the present resolution;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 3625th meeting.

Decisions

On 4 March 1996, the President of the Security Council addressed the following letter to the Secretary-General:[6]

> "I have the honour to inform you that your letter dated 1 March 1996 concerning your intention to appoint Major-General José Leandro, of Portugal, to succeed Brigadier-General André Van Baelen of Belgium as Force Commander of the United Nations Mission for the Referendum in Western Sahara[7] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

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[1] Resolutions or decisions on this question were also adopted by the Council in 1975, 1988 and 1990 to 1995.

[2] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[3] Ibid., document S/1996/43.

[4] Ibid., *Forty-fifth Year, Supplement for April, May and June 1990*, document S/21360; and ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22464.

[5] Ibid., *Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/43, para. 36.

[6] S/1996/160.

[7] S/1996/159.

At its 3668th meeting, on 29 May 1996, the Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1996/343)".[8]

Resolution 1056 (1996)
of 29 May 1996

The Security Council,

Reaffirming all its previous resolutions on the question of Western Sahara,

Having considered the report of the Secretary-General of 8 May 1996,[9]

Noting the views expressed by the Government of Morocco as set out in the report of the Secretary-General and in the memorandum transmitted by the letter addressed to the Secretary-General dated 10 May 1996,[10]

Noting also the views expressed by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro as set out in the report of the Secretary-General and in the memorandum transmitted by the letter addressed to the Secretary-General dated 22 May 1996,[11]

Taking note of the letter dated 23 May 1996 from the current Chairman and the Secretary-General of the Organization of African Unity to the President of the Security Council,[12]

Reaffirming its commitment to assist the parties in achieving a just and lasting solution to the question of Western Sahara,

Stressing the importance it attaches to the maintenance of the ceasefire, as an integral part of the settlement plan,[4]

Recognizing that, despite all the difficulties, the United Nations Mission for the Referendum in Western Sahara has to date identified more than 60,000 persons,

Reiterating that, for progress to be achieved, the two parties must have a vision of the post-referendum period,

1. *Reiterates its commitment* to the holding, as soon as possible, of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan[4] which has been accepted by the two parties referred to above;

2. *Deeply regrets* the fact that the required willingness does not exist to give the United Nations Mission for the Referendum in Western Sahara the cooperation needed for it to resume and complete the identification process, and that there has therefore been no significant progress towards implementation of the settlement plan;

3. *Agrees* with the recommendation of the Secretary-General that the identification process should be suspended until such time as both parties provide concrete and convincing evidence that they are committed to resuming and completing it without further obstacles, in accordance with the settlement plan;

4. *Supports* the proposal of the Secretary-General to reduce the strength of the military component of the Mission by 20 per cent, on the understanding that this will not impair its operational effectiveness in monitoring the ceasefire;

5. *Endorses* the view of the Secretary-General that the decision to suspend temporarily the work of the Identification Commission and to reduce the number of civilian police and military personnel does not imply any lessening of resolve to secure the implementation of the settlement plan;

6. *Supports* the proposal of the Secretary-General, in the context of the settlement plan, to maintain a political office to continue the dialogue with the parties and the two neighbouring countries and to facilitate any other effort that could help set the parties on a course towards an agreed formula for the resolution of their differences, and encourages the Secretary-General to consider ways of strengthening the role of this office;

7. *Urges* the two parties to demonstrate without further delay the political will, cooperation and flexibility necessary to permit the resumption and early completion of the identification process and the implementation of the settlement plan, notes with satisfaction that the parties have respected the ceasefire, which is an integral part of the settlement plan, and calls upon them to continue to do so;

8. *Calls upon* the parties, as a demonstration of goodwill, to cooperate with the United Nations in the implementation of certain aspects of the settlement plan, such as the release of Saharan political prisoners and the exchange of prisoners of war on humanitarian grounds, as soon as possible, to accelerate implementation of the settlement plan in its entirety;

9. *Encourages* the parties to consider additional ways to create confidence between themselves in order to remove obstacles to the implementation of the settlement plan;

10. *Decides* to extend the mandate of the Mission, on the basis proposed by the Secretary-General in his report of 8 May 1996, until 30 November 1996;

11. *Reminds* the parties that if significant progress is not achieved during this period, the Council will have to consider other measures, including possible further reductions in the strength of the Mission, but stresses its readiness to support the resumption of the identification process as soon as the parties

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[8] See *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*.

[9] Ibid., document S/1996/343.

[10] Ibid., document S/1996/345.

[11] Ibid., document S/1996/366.

[12] Ibid., document S/1996/376, annex.

have demonstrated the necessary political will, cooperation and flexibility, as called for in paragraph 7 above;

12. *Requests* the Secretary-General to continue his efforts with the parties to break the impasse blocking the implementation of the settlement plan and to submit to the Council by 31 August 1996 a report on the outcome of his efforts;

13. *Also requests* the Secretary-General to keep the Council closely informed of all significant developments, including their humanitarian aspects, and to submit a comprehensive report on the implementation of the present resolution by 10 November 1996;

14. *Decides* to remain seized of the matter.

Adopted unanimously at the 3668th meeting.

Decisions

On 12 November 1996, the President of the Security Council addressed the following letter to the Secretary-General:[13]

> "I have the honour to inform you that your letter dated 8 November 1996 concerning your intention to appoint Major-General Jorge Barroso De Moura, of Portugal, as Force Commander of the United Nations Mission for the Referendum in Western Sahara to succeed Major-General José Leandro[14] has been brought to the attention of the members of the Security Council. They welcome the proposal contained in your letter."

At its 3718th meeting, on 27 November 1996, the Council considered the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/1996/913)".[15]

Resolution 1084 (1996) of 27 November 1996

The Security Council,

Reaffirming all its previous resolutions on the question of Western Sahara,

Having considered the report of the Secretary-General of 5 November 1996,[16]

Reaffirming its commitment to assist the parties in achieving a just and lasting solution to the question of Western Sahara,

Welcoming the reiteration by the Kingdom of Morocco of its commitment to the settlement plan,[4]

Welcoming also the reiteration by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro of its commitment to the settlement plan,

Stressing the importance it attaches to the maintenance of the ceasefire, as an integral part of the settlement plan,

Stressing also the importance and usefulness of the resumption of exploratory talks between the parties, without prejudice to their respective positions, in order to create an atmosphere of mutual confidence conducive to a speedy and effective implementation of the settlement plan,

Reiterating that, for progress to be achieved, the parties must have a vision of the post-referendum period,

Noting the completion by the Secretary-General of reductions in the various components of the United Nations Mission for the Referendum in Western Sahara,

1. *Reiterates its commitment* to the holding, as soon as possible, of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan;[4]

2. *Supports* the activities of the Acting Special Representative of the Secretary-General in continuing the dialogue with the parties and the two neighbouring countries and in facilitating, in the context of the settlement plan, other efforts to set the parties on a course towards an agreed formula for the resolution of their differences, and requests that those activities be accelerated and that the parties continue to cooperate with the Acting Special Representative;

3. *Notes* the beneficial effect of demonstrations of goodwill and of all contacts aimed at achieving the implementation of the settlement plan;

4. *Welcomes* the steps taken by the parties to demonstrate goodwill, including the release of prisoners, and the recent indications that the parties are moving forward in their efforts to resolve outstanding questions concerning the implementation of the settlement plan, and encourages them to pursue these efforts so as to build confidence between themselves and to facilitate the implementation of the settlement plan;

5. *Welcomes also* the ongoing activities of the Office of the United Nations High Commissioner for Refugees and the cooperation afforded to it by the parties, and encourages the Office of the High Commissioner to pursue its humanitarian work and assistance in accordance with its mandate and the settlement plan;

6. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara, on the

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[13] S/1996/929.

[14] S/1996/928.

[15] See *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996.*

[16] Ibid., document S/1996/913.

basis proposed by the Secretary-General in his report of 5 November 1996,[16] until 31 May 1997;

7. *Requests* the Secretary-General to continue his efforts with the parties to break the impasse blocking the implementation of the settlement plan and to submit to the Council by 28 February 1997 an interim report on the outcome of his efforts;

8. *Also requests* that in his next report the Secretary-General propose alternative steps, in the framework of the settlement plan, should there be no meaningful progress towards removing the obstacles to the implementation of the plan;

9. *Further requests* the Secretary-General to continue to keep the staffing size and configuration of the various components of the Mission under active review in order to ensure maximum efficiency and effectiveness, and to include in his next report ways to achieve this aim;

10. *Requests* the Secretary-General to keep the Council closely informed of all significant developments, including their humanitarian aspects, and to submit a comprehensive report on the implementation of the present resolution by 9 May 1997;

11. *Decides* to remain seized of the matter.

Adopted unanimously at the 3718th meeting.

LETTER DATED 9 JANUARY 1996 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING THE EXTRADITION OF THE SUSPECTS WANTED IN THE ASSASSINATION ATTEMPT ON THE LIFE OF THE PRESIDENT OF THE ARAB REPUBLIC OF EGYPT IN ADDIS ABABA, ETHIOPIA, ON 26 JUNE 1995

Decision

At its 3627th meeting, on 31 January 1996, the Security Council decided to invite the representatives of Ethiopia, Pakistan and the Sudan to participate, without vote, in the discussion of the item entitled "Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995 (S/1996/10)".[1]

Resolution 1044 (1996) of 31 January 1996

The Security Council,

Deeply disturbed by the worldwide persistence of acts of international terrorism in all its forms which endanger or take innocent lives, have a deleterious effect on international relations and jeopardize the security of States,

Recalling the statement made by the President of the Security Council on 31 January 1992[2] when the Council met at the level of heads of State and Government, in which the members of the Council expressed their deep concern over acts of international terrorism and emphasized the need for the international community to deal effectively with all such acts,

Recalling also the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, opened for signature at New York on 14 December 1973,[3]

Stressing the imperative need to strengthen international cooperation between States in order to make and adopt practical and effective measures to prevent, combat and eliminate all forms of terrorism that affect the international community as a whole,

Convinced that the suppression of acts of international terrorism, including those in which States are involved, is an essential element for the maintenance of international peace and security,

Gravely alarmed at the terrorist assassination attempt on the life of the President of the Arab Republic of Egypt, in Addis Ababa on 26 June 1995, and convinced that those responsible for that act must be brought to justice,

Noting that the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity, at its third extraordinary session on 11 September 1995, considered that attack as aimed, not only at the President of the Arab Republic of Egypt,

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[1] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[2] S/23500; see *Resolutions and Decisions of the Security Council, 1992*, p. 65.

[3] United Nations, *Treaty Series*, vol. 1035, No. 15410.

and not only at the sovereignty, integrity and stability of Ethiopia, but also at Africa as a whole,[4]

Taking note of the statements of the Central Organ of the Mechanism of 11 September[4] and 19 December 1995,[5] and supporting the implementation of the requests contained therein,

Regretting the fact that the Government of the Sudan has not yet complied with the requests of the Central Organ of the Mechanism set out in those statements,

Taking note of the letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council,[6]

Taking note also of the letters from the Permanent Representative of the Sudan to the United Nations dated 11 January[7] and 12 January 1996 [8] addressed to the President of the Security Council,

1. *Condemns* the terrorist assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa on 26 June 1995;

2. *Strongly deplores* the flagrant violation of the sovereignty and integrity of Ethiopia and the attempt to disturb the peace and security of Ethiopia and the region as a whole;

3. *Commends* the efforts of the Government of Ethiopia to resolve this issue through bilateral and regional arrangements;

4. *Calls upon* the Government of the Sudan to comply without further delay with the requests of the Organization of African Unity:

(*a*) To take immediate action to extradite to Ethiopia for prosecution the three suspects sheltering in the Sudan and wanted in connection with the assassination attempt on the basis of the 1964 Extradition Treaty between Ethiopia and the Sudan;[9]

(*b*) To desist from engaging in activities of assisting, supporting and facilitating terrorist activities and from giving shelter and sanctuary to terrorist elements, and to act in its relations with its neighbours and with others in full conformity with the Charter of the United Nations and with the charter of the Organization of African Unity;

5. *Urges* the international community to encourage the Government of the Sudan to respond fully and effectively to the requests of the Organization of African Unity;

6. *Welcomes* the efforts of the Secretary-General of the Organization of African Unity aimed at the implementation of the relevant provisions of the statements of 11 September[4] and 19 December 1995[5] of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity, and supports that organization in its continued efforts to implement its decisions;

7. *Requests* the Secretary-General, in consultation with the Organization of African Unity, to seek the cooperation of the Government of the Sudan in the implementation of the present resolution and to report to the Council within sixty days;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 3627th meeting.

Decisions

On 8 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[10]

> "I have the honour to inform you that your letter dated 6 February 1996 concerning your decision to send a Special Envoy to Addis Ababa and Khartoum[11] has been brought to the attention of the members of the Security Council. They welcome and support the decision contained in your letter."

At its 3660th meeting, on 26 April 1996, the Security Council decided to invite the representatives of Ethiopia, the Sudan and Uganda to participate, without vote, in the discussion of the item entitled:

> "Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995 (S/1996/10)[1]
>
> > "Report of the Secretary-General pursuant to Security Council resolution 1044 (1996) (S/1996/179)".[1]

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[4] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/10, annex I.

[5] Ibid., annex II.

[6] Ibid., document S/1996/10.

[7] Ibid., document S/1996/22.

[8] Ibid., document S/1996/25.

[9] Ibid., document S/1996/197, annex, doc. No. 44.

[10] S/1996/93.

[11] S/1996/92.

Resolution 1054 (1996)
of 26 April 1996

The Security Council,

Reaffirming its resolution 1044 (1996) of 31 January 1996,

Taking note of the report of the Secretary-General of 11 March 1996, submitted pursuant to paragraph 7 of resolution 1044 (1996),[12] and the conclusions contained therein,

Gravely alarmed at the terrorist assassination attempt on the life of the President of the Arab Republic of Egypt, in Addis Ababa on 26 June 1995, and convinced that those responsible for that act must be brought to justice,

Noting that in its statements of 11 September[4] and 19 December 1995[5] the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity considered the attempt on the life of President Mubarak as aimed, not only at the President of the Arab Republic of Egypt, and not only at the sovereignty, integrity and stability of Ethiopia, but also at Africa as a whole,

Regretting the fact that the Government of the Sudan has not yet complied with the requests of the Central Organ of the Mechanism set out in those statements,

Noting the continued effort of the Secretary-General of the Organization of African Unity to ensure the Sudan's compliance with the requests of the Central Organ of the Mechanism,

Taking note with regret that the Government of the Sudan has not responded adequately to the efforts of the Organization of African Unity,

Deeply alarmed that the Government of the Sudan has failed to comply with the requests set out in paragraph 4 of resolution 1044 (1996),

Reaffirming that the suppression of acts of international terrorism, including those in which States are involved, is essential for the maintenance of international peace and security,

Determining that the non-compliance by the Government of the Sudan with the requests set out in paragraph 4 of resolution 1044 (1996) constitutes a threat to international peace and security,

Determined to eliminate international terrorism and to ensure effective implementation of resolution 1044 (1996), and to that end acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that the Government of the Sudan comply without further delay with the requests set out in paragraph 4 of resolution 1044 (1996) by:

(*a*) Taking immediate action to ensure the extradition to Ethiopia for prosecution of the three suspects sheltered in the Sudan and wanted in connection with the assassination attempt of 26 June 1995 on the life of the President of the Arab Republic of Egypt in Addis Ababa;

(*b*) Desisting from engaging in activities of assisting, supporting and facilitating terrorist activities and from giving shelter and sanctuary to terrorist elements, and by henceforth acting in its relations with its neighbours and with others in full conformity with the Charter of the United Nations and with the charter of the Organization of African Unity;

2. *Decides* that the provisions set out in paragraph 3 below shall come into force at 00.01 eastern standard time on 10 May 1996, and shall remain in force until the Security Council determines that the Government of the Sudan has complied with paragraph 1 above;

3. *Decides* that all States shall:

(*a*) Significantly reduce the number and the level of the staff at Sudanese diplomatic missions and consular posts and restrict or control the movement within their territory of all such staff who remain;

(*b*) Take steps to restrict the entry into or transit through their territory of members of the Government of the Sudan, officials of that Government and members of the Sudanese armed forces;

4. *Calls upon* all international and regional organizations not to convene any conference in the Sudan;

5. *Calls upon* all States, including States not members of the United Nations and the specialized agencies, to act strictly in conformity with the present resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any licence or permit granted prior to the entry into force of the provisions set out in paragraph 3 above;

6. *Requests* States to report to the Secretary-General of the United Nations within sixty days from the adoption of the present resolution on the steps they have taken to give effect to the provisions set out in paragraph 3 above;

7. *Requests* the Secretary-General to submit to the Council within sixty days of the date specified in paragraph 2 above an initial report on the implementation of the present resolution;

8. *Decides* to re-examine the matter sixty days after the date specified in paragraph 2 above and to consider, on the basis of the facts established by the Secretary-General, whether the Sudan has complied with the demands in paragraph 1 above and, if not, whether to adopt further measures to ensure its compliance;

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[12] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/179.

9. *Decides* to remain seized of the matter.

Adopted at the 3660th meeting by 13 votes to none with 2 abstentions (China and Russian Federation).

Decision

At its 3690th meeting, on 16 August 1996, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995 (S/1996/10)[1]

"Report of the Secretary-General pursuant to Security Council resolution 1054 (1996) (S/1996/541 and Add.1, 2 and 3)".[13]

Resolution 1070 (1996) of 16 August 1996

The Security Council,

Recalling its resolutions 1044 (1996) of 31 January 1996 and 1054 (1996) of 26 April 1996,

Having considered the report of the Secretary-General of 10 July 1996,[14]

Taking note of the letters dated 31 May,[15] 24 June[16] and 2 July 1996[17] from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council,

Taking note also of the letter dated 10 July 1996 from the Permanent Representative of the Federal Democratic Republic of Ethiopia to the United Nations addressed to the President of the Security Council,[18]

Gravely alarmed at the terrorist assassination attempt on the life of the President of the Arab Republic of Egypt, in Addis Ababa on 26 June 1995, and convinced that those responsible for that act must be brought to justice,

Noting that in its statements of 11 September[4] and 19 December 1995[5] the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity considered the attempt on the life of President Mubarak as aimed, not only at the President of the Arab Republic of Egypt, and not only at the sovereignty, integrity and stability of Ethiopia, but also at Africa as a whole,

Regretting the fact that the Government of the Sudan has not yet complied with the requests of the Central Organ of the Mechanism set out in those statements,

Noting the continued efforts of the Organization of African Unity to ensure the Sudan's compliance with the requests of the Central Organ of the Mechanism, and regretting that the Government of the Sudan has not responded adequately to the efforts of the Organization of African Unity,

Deeply alarmed that the Government of the Sudan has failed to comply with the requests set out in paragraph 4 of resolution 1044 (1996) as reaffirmed in paragraph 1 of resolution 1054 (1996),

Reaffirming that the suppression of acts of international terrorism, including those in which States are involved, is essential for the maintenance of international peace and security,

Determining that the non-compliance by the Government of the Sudan with the requests set out in paragraph 4 of resolution 1044 (1996) as reaffirmed in paragraph 1 of resolution 1054 (1996) constitutes a threat to international peace and security,

Determined to eliminate international terrorism and to ensure the effective implementation of resolutions 1044 (1996) and 1054 (1996), and to that end acting under Chapter VII of the Charter of the United Nations,

1. *Demands once again* that the Government of the Sudan comply fully and without further delay with the requests set out in paragraph 4 of resolution 1044 (1996) as reaffirmed in paragraph 1 of resolution 1054 (1996);

2. *Notes* the steps taken by some Member States to give effect to the provisions set out in paragraph 3 of resolution 1054 (1996), and requests those States that have not yet done so to report to the Secretary-General as soon as possible on the steps they have taken to that end;

3. *Decides* that all States shall deny aircraft permission to take off from, land in, or overfly their territories if the aircraft is registered in the Sudan, or owned, leased or operated by or on behalf of Sudan Airways or by any undertaking, wherever located or organized, which is substantially owned or controlled by Sudan Airways, or owned, leased or operated by the Government or public authorities of the Sudan, or by an undertaking, wherever located or organized, which is substantially owned or controlled by the Government or public authorities of the Sudan;

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[13] Ibid., *Supplement for July, August and September 1996.*

[14] Ibid., documents S/1996/541 and Add.1-3.

[15] Ibid., *Supplement for April, May and June 1996*, document S/1996/402.

[16] Ibid., document S/1996/464.

[17] Ibid., *Supplement for July, August and September 1996*, document S/1996/513.

[18] Ibid., document S/1996/538.

4. *Also decides* that it shall determine, ninety days after the date of adoption of the present resolution, the date of entry into force of the provisions set out in paragraph 3 above and all aspects of the modalities of its implementation, unless it decides before then, on the basis of a report submitted by the Secretary-General, on the compliance of the Sudan with the demand in paragraph 1 above;

5. *Requests* the Secretary-General to submit, by 15 November 1996, a report on the compliance of the Sudan with the provisions of paragraph 1 above;

6. *Decides* to remain actively seized of the matter.

Adopted at the 3690th meeting
by 13 votes to none with 2 abstentions
(China and Russian Federation).

THE SITUATION CONCERNING RWANDA[1]

Decisions

On 13 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[2]

> "The members of the Security Council have considered your progress report of 30 January 1996 on the United Nations Assistance Mission for Rwanda.[3]
>
> "The members of the Council concur with your observation that the United Nations still has a useful role to play in Rwanda. They encourage you to undertake consultations with the Government of Rwanda, as well as with relevant United Nations agencies, on the appropriate nature of the role of the United Nations in Rwanda after the expiration of the final mandate period of the Mission on 8 March 1996. Such a presence should assist the process of establishing and consolidating a climate of relative normality and stability. They look forward to receiving your next report, in advance of 8 March 1996, containing your recommendations on the nature and mandate of a continued United Nations presence in Rwanda.
>
> "The members of the Council urge you, in the light of the unique circumstances and recent history of Rwanda, to employ flexibility, while staying within the bounds of the regulations established by the General Assembly, in resolving the question of the disposition of the Mission's equipment."

On 13 February 1996, the President of the Security Council addressed the following letter to the Secretary-General:[4]

> "The members of the Security Council have asked me to thank you for your letter dated 26 January 1996[5] and for the interim report transmitted with it about the work of the International Commission of Inquiry established to investigate reports of the sale or supply of arms to former Rwandan government forces, in violation of the Security Council arms embargo, and allegations that those forces are receiving training to destabilize Rwanda.
>
> "The members of the Council underline the importance they attach to the work of the Commission and to the investigations it is undertaking. They emphasize the need for those Governments which have not yet done so to respond to the Commission's inquiries. They note the particular importance of the cooperation of the Government of Zaire for the successful completion of the Commission's work and stress their expectation that such cooperation will be provided in accordance with Council resolution 1013 (1995).
>
> "The members of the Council look forward to receiving in due course the final report of the Commission requested in resolution 1013 (1995)."

At its 3640th meeting, on 8 March 1996, the Council decided to invite the representative of Rwanda to participate, without vote, in the discussion of the item entitled:

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993, 1994 and 1995.

[2] S/1996/103.

[3] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/61.

[4] S/1996/104.

[5] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/67.

"The situation concerning Rwanda

"Report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1996/149)".[6]

Resolution 1050 (1996)
of 8 March 1996

The Security Council,

Recalling its previous resolutions on the situation in Rwanda,

Having considered the report of the Secretary-General of 29 February 1996 on the United Nations Assistance Mission for Rwanda,[7]

Welcoming the letter dated 1 March 1996 from the Minister for Foreign Affairs and Cooperation of Rwanda addressed to the Secretary-General,[8]

Paying tribute to the work of the Mission and to the personnel who have served in it,

Stressing the continued importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Emphasizing the importance it attaches to the role and responsibility of the Government of Rwanda in the promotion of a climate of confidence, security and trust and the safe return of Rwandan refugees,

Emphasizing also the importance it attaches to States acting in accordance with the recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons held in Bujumbura from 15 to 17 February 1995, the summit of heads of State of the Great Lakes region held in Cairo on 28 and 29 November 1995 and the follow-up conference held on 29 February 1996 in Addis Ababa, and the importance it attaches to the continuation of efforts to convene a regional conference for peace, security and development in the Great Lakes region,

Encouraging all States to cooperate fully with the International Commission of Inquiry established by resolution 1013 (1995) of 7 September 1995,

Recognizing the importance of the Human Rights Field Operation in Rwanda in contributing to the establishment of confidence in the country, and concerned that it may not be possible to maintain its presence throughout Rwanda unless sufficient funds for that purpose are secured in the very near future,

Concerned to ensure the effective operation of the International Tribunal for Rwanda established by resolution 955 (1994) of 8 November 1994,

Commending the continuing efforts of the Government of Rwanda to maintain peace and security as well as to reconstruct and rehabilitate the country,

Stressing its concern that the United Nations should continue to play an active role in assisting the Government of Rwanda in promoting the return of refugees, in consolidating a climate of confidence and stability and in promoting the rehabilitation and reconstruction of Rwanda,

Reiterating the responsibility of the Government of Rwanda for the safety and security of all United Nations personnel and other international staff serving in the country,

1. *Takes note* of the arrangements made by the Secretary-General for the withdrawal, starting on 9 March 1996, of the United Nations Assistance Mission for Rwanda pursuant to Council resolution 1029 (1995) of 12 December 1995;

2. *Authorizes* elements of the Mission remaining in Rwanda prior to their final withdrawal to contribute, with the agreement of the Government of Rwanda, to the protection of the personnel and premises of the International Tribunal for Rwanda;

3. *Welcomes* the intention of the Secretary-General to submit recommendations to the General Assembly regarding non-lethal equipment of the Mission that may be released for use in Rwanda in accordance with paragraph 7 of its resolution 1029 (1995), and calls upon the Government of Rwanda to take all necessary steps to ensure that Mission personnel, and equipment which is not remaining in Rwanda, can be withdrawn without impediment and in an orderly and safe manner;

4. *Encourages* the Secretary-General, in agreement with the Government of Rwanda, to maintain in Rwanda a United Nations office, to be headed by his Special Representative and to include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government of Rwanda to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and of coordinating the United Nations efforts to that end;

5. *Commends* the efforts of States, including neighbouring States, the United Nations and its agencies, the European Union and non-governmental organizations which have provided humanitarian assistance to refugees and displaced persons, and underlines the importance it attaches to continued efforts by the Government of Rwanda, neighbouring States, the international community and the United Nations High Commissioner for Refugees to facilitate the early, safe, voluntary and organized return of Rwandan refugees to their own country in accordance with the recommendations of the Bujumbura Conference;

6. *Calls upon* States and organizations to continue to give assistance for the reconstruction of Rwanda and the rehabilitation of the infrastructure of the country, including the Rwandan justice system, directly or through the United

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[6] Ibid., *Supplement for January, February and March 1996.*

[7] Ibid., document S/1996/149.

[8] Ibid., document S/1996/176, annex.

Nations trust funds for Rwanda, and invites the Secretary-General to consider whether there is a need to adjust the scope and purposes of those funds to bring them into line with current requirements;

7. *Also calls upon* States to contribute urgently to the costs of the Human Rights Field Operation in Rwanda, and encourages the Secretary-General to consider what steps might be taken to place the Operation on a more secure financial basis;

8. *Requests* the Secretary-General to report to the Council by 5 April 1996 on the arrangements that have been agreed upon with the Government of Rwanda for the protection of the personnel and premises of the International Tribunal for Rwanda after the withdrawal of the Mission and on the arrangements he has made pursuant to paragraph 4 above, and to keep the Council closely informed thereafter of developments in the situation;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 3640th meeting.

Decision

At its 3656th meeting, on 23 April 1996, the Security Council decided to invite the representatives of Burundi, Rwanda and Zaire to participate, without vote, in the discussion of the item entitled:

"The situation concerning Rwanda

"Letter dated 13 March 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/195)".[6]

Resolution 1053 (1996) of 23 April 1996

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular resolutions 918 (1994) of 17 May 1994, 997 (1995) of 9 June 1995, 1011 (1995) of 16 August 1995 and 1013 (1995) of 7 September 1995,

Having considered the letter dated 13 March 1996 from the Secretary-General to the President of the Security Council[9] and the report of the International Commission of Inquiry established by resolution 1013 (1995), annexed to that letter, as well as the interim report of the Commission of 17 January 1996,[10]

Expressing its support for the Tunis Declaration of Heads of State of the Great Lakes Region of 18 March 1996,

Expressing once again its grave concern at allegations of the sale and supply of arms and related *matériel* to former Rwandan government forces in violation of the embargo imposed under its resolutions 918 (1994), 997 (1995) and 1011 (1995), and underlining the need for Governments to take action to ensure the effective implementation of the embargo,

Commending the members of the Commission for the excellent investigation they have conducted,

Welcoming the assistance given to the Commission by some Governments,

Noting with concern the continuing lack of full cooperation the Commission has received from other Governments,

Gravely concerned by the finding of the Commission that certain Rwandan elements are receiving military training to conduct destabilizing raids into Rwanda,

Deeply disturbed by the strong evidence presented by the Commission leading to the conclusion that it is highly probable that a violation of the arms embargo occurred, in particular by the sale of arms which took place in Seychelles in June 1994 and the subsequent two shipments of arms from Seychelles to Goma, Zaire, destined for former Rwandan government forces,

Noting that the Commission received strong indications from its sources that aircraft are continuing to land at Goma and Bukavu with arms for former Rwandan government forces and that senior figures among those forces are still actively raising money apparently for the purpose of funding an armed struggle against Rwanda,

Noting also that the Commission has not yet been able to investigate thoroughly these allegations of continuing violations of the arms embargo,

Reaffirming the need for a long-term solution to the refugee and related problems in the Great Lakes States,

Reaffirming also the importance of terminating radio broadcasts which spread hate and fear in the region, and emphasizing the need for States to assist the countries of the region in terminating such broadcasts as stated by the Cairo Declaration adopted by the heads of State of the Great Lakes region on 29 November 1995,[11]

1. *Reaffirms* the importance it attaches to the work of the International Commission of Inquiry, to the investigations it has conducted to date, and to continued effective implementation of the relevant Council resolutions;

2. *Requests* the Secretary-General to maintain the Commission, on the basis set out in paragraph 91 (*c*) of its report,[12] to follow up its earlier investigations and to stand

[9] Ibid., document S/1996/195.

[10] Ibid., document S/1996/67, annex.

[11] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1001.

[12] Ibid., *Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/195, annex.

ready to pursue any further allegations of violations, especially of current and expected arms shipments;

3. *Expresses its determination* that the prohibition on the sale or supply of arms and related *matériel* to non-governmental forces for use in Rwanda should be implemented fully in accordance with resolution 1011 (1995);

4. *Calls upon* States in the Great Lakes region to ensure that their territory is not used as a base for armed groups to launch incursions or attacks against any other State in violation of principles of international law and the Charter of the United Nations;

5. *Urges* all States, in particular those in the region, to intensify their efforts to prevent military training and the sale or supply of weapons to militia groups or former Rwandan government forces and to take the steps necessary to ensure the effective implementation of the arms embargo, including by the creation of all necessary national mechanisms for implementation;

6. *Encourages* States of the Great Lakes region to ensure the effective implementation of the Tunis Declaration of Heads of State of the Great Lakes Region of 18 March 1996;

7. *Requests* the Secretary-General to consult with States neighbouring Rwanda, in particular Zaire, on appropriate measures, including the possible deployment of United Nations observers in the airfields and other transportation points in and around border crossing points, for the purpose of better implementation of the arms embargo and deterrence of the shipment of arms to former Rwandan government forces in violation of Council resolutions;

8. *Expresses concern* at the lack of response by certain States to the Commission's inquiries, and calls upon those States that have not yet done so to cooperate fully with the Commission in its inquiries and to investigate fully reports of their officials and nationals suspected of violating the relevant Council resolutions;

9. *Calls upon* States, in particular those whose nationals have been implicated by the report of the Commission, to investigate the apparent complicity of their officials or private citizens in the purchase of arms from Seychelles in June 1994, and in other suspected violations of the relevant Council resolutions;

10. *Also calls upon* States to make available to the Commission the results of their investigations, and to cooperate fully with the Commission, including by providing to the Commission at any time any access they request to airfields and to witnesses, in private and without the presence of officials or representatives of any Government;

11. *Encourages* States to make voluntary contributions to the United Nations Trust Fund for Rwanda, established by the Secretary-General,to support the work of the Commission, and to contribute equipment and services to the Commission, through the Secretary-General;

12. *Requests* the Secretary-General to submit to the Council by 1 October 1996 a report on the implementation of the present resolution;

13. *Reiterates its concern* that the uncontrolled illegal flows of arms and related *matériel* in violation of Council resolutions would pose a threat to peace and stability in the Great Lakes region, and declares its willingness to consider further measures in this regard;

14. *Decides* to remain seized of the matter.

Adopted unanimously at the 3656th meeting.

Decisions

On 31 May 1996, the President of the Security Council addressed the following letter to the Secretary-General:[13]

> "I have the honour to inform you that your report concerning the establishment of a United Nations Office in Rwanda[14] has been brought to the attention of members of the Security Council. They support your recommendation, consistent with Council resolution 1050 (1996), for the establishment of the Office on the basis described in the addendum to the report for an initial period of six months."

On 1 October 1996, the President of the Security Council addressed the following letter to the Secretary-General:[15]

> "I have the honour to inform you that your letter dated 27 September 1996 concerning the report on the activities of the International Commission of Inquiry (Rwanda)[16] has been brought to the attention of the members of the Security Council. They concur with the proposal contained in your letter."

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[13] S/1996/400.

[14] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, documents S/1996/286 and Add.1.

[15] S/1996/817.

[16] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/816.

THE SITUATION IN AFGHANISTAN[1]

Decisions

At its 3631st meeting, on 15 February 1996, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[2]

> "The Security Council deeply deplores the continuation of armed hostilities in Afghanistan, which have brought death and destruction to the people and property of the country and threaten the peace and security of the region.
>
> "The Council is particularly concerned about the recent intensification of shelling and air attacks in and around the capital city of Kabul and the blockade of the city, which has prevented the delivery of foodstuffs, fuel and other humanitarian items to its population.
>
> "The Council calls upon the parties involved to end the hostilities forthwith and not to obstruct the delivery of humanitarian aid and other needed supplies to the innocent civilians of the city. In this regard, the Council commends the efforts of the United Nations, the International Committee of the Red Cross and other humanitarian agencies in Afghanistan, which are working under the most trying circumstances, and the airlift of food supplies from Peshawar to Kabul, and urges the international community to continue its support of those life-saving efforts.
>
> "The Council is deeply concerned that the continued conflict in Afghanistan provides fertile ground for terrorism, arms transfers and drug trafficking, which destabilize the whole region and beyond. It calls upon the leaders of the Afghan parties to put aside their differences and to halt such activities.
>
> "The Council reaffirms its full support for the efforts of the United Nations Special Mission to Afghanistan to bring about a peaceful solution to the conflict through the establishment of a fully representative, broad-based, authoritative council acceptable to all Afghans. It calls upon all Afghans to cooperate fully with the Special Mission as it works towards this goal.
>
> "The Council calls upon all States in a position to do so to take steps to promote peace and stability in Afghanistan, in particular by urging the parties to the conflict to cooperate fully with the Special Mission. It also calls upon all States to refrain from interfering in the internal affairs of Afghanistan and to prevent the flow to the Afghan parties of weapons and other supplies that can fuel the fighting.
>
> "The Council urges the captors of the members of the crew of the Russian aircraft in Kandahar to release them immediately and without any preconditions.
>
> "The Council reaffirms its commitment to the full sovereignty, independence, territorial integrity and national unity of Afghanistan. It reaffirms its readiness to assist the Afghan people in their efforts to return peace and normalcy to their country and it encourages all States, as well as the Organization of the Islamic Conference, the Movement of Non-Aligned Countries and others, to support the efforts of the Special Mission to the same end.
>
> "The Council will remain actively seized of the situation in Afghanistan."

At its 3648th meeting, on 9 April 1996, the Council decided to invite the representatives of Afghanistan, Argentina, India, the Islamic Republic of Iran, Japan, Malaysia, Pakistan, Tajikistan, Tunisia, Turkey, Turkmenistan and Uzbekistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, the Council also decided, at the request of the representative of Guinea,[3] to extend an invitation to Mr. Engin Ahmet Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the Council's provisional rules of procedure.

At its 3650th meeting, on 9 April 1996, the Council considered the item entitled "The situation in Afghanistan".

On 22 August 1996, the President of the Security Council addressed the following letter to the Secretary-General:[4]

> "The members of the Security Council have asked me to write to you regarding the situation in Afghanistan. The members of the Council remain deeply concerned about the ongoing civil war in Afghanistan, its effects on the region and particularly the suffering of the civilian population. They express their strong view that the warring parties should renounce the use of force and settle their differences by peaceful means, through negotiations.

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[1] Resolutions or decisions on this question were also adopted by the Council in 1994.

[2] S/PRST/1996/6.

[3] Document S/1996/252, incorporated in the record of the 3648th meeting.

[4] S/1996/683.

"The members of the Council are convinced that the main responsibility for finding a political solution to the conflict lies with the parties and that all States must refrain from interference.

"The members of the Council reiterate their full support for the important work of the United Nations Special Mission to Afghanistan, headed by Mr. Norbert Holl. They hope that this work will intensify further and will bring new results in promoting the peace process. They would appreciate your keeping the Council informed about ongoing developments, both on the ground and in United Nations efforts, and they look forward to being briefed by Under-Secretary-General Marrack Goulding upon his return from the region. The members of the Council would also welcome a briefing by Mr. Holl when he comes to New York.

"The members of the Council are convinced that the United Nations must continue to play a central role in international efforts towards a peaceful resolution of the Afghan conflict. They take note of recent proposals to promote a peaceful settlement, including a proposal for an arms embargo, as contained in the letter dated 23 July 1996 from the President of Uzbekistan to the President of the Security Council.[5] The members of the Council have started to discuss these proposals, taking into account all aspects of the situation in Afghanistan. They will remain seized of the matter and would hope that Under-Secretary-General Goulding and Mr. Holl, on the basis of their consultations with the Afghan parties and the Governments of neighbouring States, will be able to make important contributions to the deliberations of the members of the Council."

At its 3699th meeting, on 28 September 1996, the Council considered the item entitled "The situation in Afghanistan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[6]

"The Security Council reiterates its grave concern about the military confrontation in Afghanistan.

"The Council is also concerned at the violation of the United Nations premises in Kabul and expresses its dismay at the brutal execution by the Taliban of the former President of Afghanistan, Mr. Najibullah,and others who had taken refuge in these premises.

"The Council demands that all parties fulfil their obligations and commitments regarding the safety of the United Nations personnel and other international personnel in Afghanistan. It calls upon all Afghans to cooperate fully with the United Nations and associated bodies as well as with other humanitarian organizations and agencies in their efforts to respond to the humanitarian needs of the people of Afghanistan.

"The Council reaffirms its commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan. It calls for the immediate cessation of all armed hostilities and urgently calls upon the leaders of the Afghan parties to renounce the use of force, to put aside their differences and to engage in a political dialogue aimed at achieving national reconciliation. The Council also calls upon all States to refrain from interfering in the internal affairs of Afghanistan.

"The Council reaffirms its full support for the efforts of the United Nations in Afghanistan, in particular the activities of the United Nations Special Mission. It calls upon all parties to cooperate with the Special Mission which will act as a key and impartial facilitator in order to bring about a peaceful solution to the conflict as soon as possible. The Council calls upon all States to take all steps necessary to promote peace in Afghanistan and to work together with the United Nations to this end.

"The Council will continue to follow with close attention developments in Afghanistan."

At its 3705th meeting, on 16 October 1996, the Council decided to invite the representatives of Afghanistan, India, the Islamic Republic of Iran, Ireland, Japan, Kazakstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Letter dated 8 October 1996 from the representatives of Kazakstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan to the United Nations addressed to the Secretary-General (S/1996/838)".[7]

At the same meeting, the Council decided, at the request of the representative of Guinea,[8] to extend an invitation to Mr. Engin Ahmet Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the Council's provisional rules of procedure.

At its 3706th meeting, on 22 October 1996, the Council considered the item discussed at its 3705th meeting.

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[5] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/607, annex.

[6] S/PRST/1996/40.

[7] See *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996.*

[8] S/1996/852, incorporated in the record of the 3705th meeting.

Resolution 1076 (1996)
of 22 October 1996

The Security Council,

Having considered the situation in Afghanistan,

Recalling the previous statements by the President of the Security Council on the situation in Afghanistan, including the statements of 15 February[2] and 28 September 1996,[6] and the letter dated 22 August 1996 from the President to the Secretary-General,[9]

Recalling also General Assembly resolution 50/88 of 19 December 1995,

Taking note of the joint declaration made on 4 October 1996 by the leaders of Kazakstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan concerning developments in Afghanistan,[10]

Expressing concern over the continuation and recent intensification of the military confrontation in Afghanistan, which have caused civilian casualties and an increase in refugees and displaced persons and which seriously endanger the stability and peaceful development of the region,

Deeply concerned about the discrimination against women and other abuses of human rights in Afghanistan,

Stressing the need to prevent further civilian casualties, and noting in this context the proposals, *inter alia*, for an immediate ceasefire, exchange of prisoners of war and the demilitarization of Kabul,

Urging all Afghan parties to resolve their differences through peaceful means and achieve national reconciliation through political dialogue,

Stressing the importance of non-interference in the internal affairs of Afghanistan and the prevention of the flow of arms and ammunition to all parties to the conflict in Afghanistan,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Convinced that the United Nations, as a universally recognized and impartial intermediary, must continue to play the central role in international efforts towards a peaceful resolution of the Afghan conflict,

Welcoming the willingness expressed by Member States during the Security Council meeting of 16 October 1996 to support the dialogue among all the parties and to facilitate the negotiations aimed at the political settlement of the conflict,

1. *Calls upon* all Afghan parties immediately to cease all armed hostilities, to renounce the use of force, to put aside their differences and to engage in a political dialogue aimed at achieving national reconciliation and a lasting political settlement of the conflict and establishing a fully representative and broad-based transitional government of national unity;

2. *Stresses* that the main responsibility for finding a political solution to the conflict lies with the Afghan parties;

3. *Calls upon* all States to refrain from any outside interference in the internal affairs of Afghanistan, including the involvement of foreign military personnel, to respect the right of the Afghan people to determine their own destiny and to respect the sovereignty, independence, unity and territorial integrity of Afghanistan;

4. *Also calls upon* all States immediately to end the supply of arms and ammunition to all parties to the conflict in Afghanistan;

5. *Reiterates* that the continuation of the conflict in Afghanistan provides a fertile ground for terrorism and drug trafficking which destabilize the region and beyond, and calls upon the leaders of the Afghan parties to halt such activities;

6. *Expresses its regret* at the civilian casualties inflicted by landmines, and calls upon all parties in Afghanistan to desist from the indiscriminate use of landmines;

7. *Requests* the Secretary-General, in cooperation, as he deems it necessary, with interested States and international organizations, in particular the Organization of the Islamic Conference, to continue his efforts to promote the political process;

8. *Reaffirms its full support* for the efforts of the United Nations, in particular the activities of the United Nations Special Mission to Afghanistan in facilitating the political process towards the goals of national reconciliation and a lasting political settlement with the participation of all parties to the conflict and all segments of Afghan society;

9. *Calls upon* all Afghan parties to cooperate with the Special Mission, and encourages all interested States and international organizations to take all steps necessary to promote peace in Afghanistan, to support the United Nations efforts to this end and to use any influence they have to encourage the parties to cooperate fully with the Special Mission;

10. *Demands* that all parties fulfil their obligations and commitments regarding the safety of United Nations personnel and other international personnel as well as their premises in Afghanistan, not hamper the flow of humanitarian assistance and cooperate fully with the United Nations and associated bodies as well as with other humanitarian organizations and agencies, in their efforts to respond to the humanitarian needs of the people of Afghanistan;

11. *Denounces* the discrimination against girls and women and other violations of human rights and international humanitarian law in Afghanistan, and notes with deep concern

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[9] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/683.

[10] Ibid., *Supplement for October, November and December 1996*, document S/1996/838, annex.

possible repercussions on international relief and reconstruction programmes in Afghanistan;

12. *Calls upon* all States and international organizations to extend all possible humanitarian assistance to the civilian population of Afghanistan;

13. *Requests* the Secretary-General to continue to keep the Security Council regularly informed, on the basis of information received from the Special Mission, on the political, military and humanitarian situation, and to make recommendations on achieving a political settlement;

14. *Also requests* the Secretary-General to submit a report on the implementation of the present resolution by 30 November 1996;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3706th meeting.

Decision

On 17 December 1996, the President of the Security Council addressed the following letter to the Secretary-General:[11]

"The members of the Security Council express their appreciation for your letter dated 20 November 1996 concerning the consultation meeting on Afghanistan, held in New York on 18 November 1996.[12] Following the discussion of the letter on 10 December 1996, I am pleased to inform you that the members of the Council welcome your initiative to convene the meeting and share your assessment that it was a useful gathering of a group of countries that are in a position to support your efforts towards a peaceful solution of the Afghan conflict. The members of the Council support your intention to convene further informal meetings of this group from time to time.

"The members of the Council reaffirm their full support for the continuing efforts of the United Nations, in particular those of the United Nations Special Mission to Afghanistan, to facilitate national reconciliation in Afghanistan. They welcome the fact that participants at the meeting on 18 November 1996 confirmed the central role of the United Nations in promoting the peace process and that they expressed support for your call for close coordination of their own efforts with United Nations mediating efforts.

"The members of the Council remain gravely concerned at the ongoing civil war in Afghanistan and reports of acts of discrimination against women, as well as by obstacles created to impede the activities of the United Nations and humanitarian agencies.

"The members of the Council stress the need for the Afghan parties to cease immediately all armed hostilities, renounce the use of force, put aside their differences and engage in a political dialogue aimed at achieving national reconciliation and a lasting political settlement of the conflict.

"The members of the Council will continue to follow closely the developments in Afghanistan.

[11] S/1996/1051.

[12] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/966.

THE SITUATION IN SIERRA LEONE[1]

Decisions

At its 3632nd meeting, on 15 February 1996, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[2]

"The Security Council welcomes the results of the meeting of the National Consultative Conference on 12 February 1996 that overwhelmingly supported the decision to maintain 26 February 1996 as the date of the

[1] Resolutions or decisions on this question were also adopted by the Council in 1995.

[2] S/PRST/1996/7.

elections. The Council also welcomes the renewed promise of the Government of Sierra Leone, through the Chairman of the National Provisional Ruling Council, to abide by the will of the people expressed through the Conference to hold the elections as scheduled. The Council notes that the Chairman of the Interim National Electoral Commission has confirmed that all the necessary technical arrangements are in place for elections to proceed.

"The Council reiterates its belief that the holding of free and fair elections as scheduled is of critical importance to Sierra Leone's transition to democratic constitutional rule. Any delay in the elections or interruption in this process is likely to erode international donor support for Sierra Leone. It is also likely to greatly increase the potential for further instability and violence, with devastating consequences for the people of Sierra Leone.

"The Council cautions all groups and individuals in Sierra Leone not to attempt to disrupt through violence or intimidation the electoral process which the great majority of the people of Sierra Leone support. The Council calls upon the Government to fulfil its undertaking to ensure a safe and free environment for the elections.

"The Council urges all parties to end the violence in Sierra Leone. The Council welcomes the initial contacts between the Government and the Revolutionary United Front and calls upon the Revolutionary United Front to renew its ceasefire and to enter into a full dialogue for peace without any conditions.

"The Council expresses its continued concern about the humanitarian situation and suffering of the people resulting from the conflict in Sierra Leone. The Council calls upon Member States to continue to provide humanitarian assistance to address this problem.

"The Council commends the efforts of the Secretary-General to assist the conduct of the elections, and in particular the establishment of the Joint International Observer Group. It also commends the work of the Special Envoy of the Secretary-General to support the democratic transition and to facilitate peace negotiations between the Government and the Revolutionary United Front. The Council appreciates the important role of the Organization of African Unity and others, including States neighbouring Sierra Leone, in attempting to bring peace to that country.

"The Council requests the Secretary-General to continue to monitor the situation in Sierra Leone and to keep the Council informed of all significant developments."

At its 3643rd meeting, on 19 March 1996, the Council considered the item entitled "The situation in Sierra Leone".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

"The Security Council welcomes the parliamentary and presidential elections held in Sierra Leone on 26 and 27 February 1996 and the second round of Presidential elections held on 15 March. It congratulates the people of Sierra Leone on the courage and determination they have shown in proceeding with the elections despite difficulties and disruptions, and pays tribute to all those involved in the success of the elections, in particular the Interim National Electoral Commission and its Chairman. The Council stresses the importance it attaches to a peaceful transition to civilian rule. It welcomes the commitment by the Chairman of the National Provisional Ruling Council to hand over authority by 31 March 1996 and calls upon all concerned to cooperate fully with the newly elected President and Parliament.

"The Council notes that the Joint International Observer Group, which monitored the first round of elections, was impressed by the 'overwhelming desire on the part of the people of Sierra Leone to exercise their democratic right in casting a ballot for the parties and candidates of their choice'. They have now done so, and it is incumbent on all concerned to help them to consolidate the gains that have been made. The Council is of the view that the circumstances created by the successful conclusion of the elections in Sierra Leone require redoubled efforts to end the fighting in that country. It commends the efforts of the Special Envoy of the Secretary-General and others, in particular the Government of Côte d'Ivoire, to that end. It reiterates its call to all parties to end the violence. It calls upon the Revolutionary United Front to accept the outcome of the elections, maintain the ceasefire and enter into a full dialogue for peace, without any conditions.

"The Council calls upon the international community to provide generous assistance to help in resolving the humanitarian problems caused by the conflict in Sierra Leone, and to assist the Government and people of that country in the task of reconstruction that now faces them.

"The Council requests the Secretary-General to continue to monitor the situation in Sierra Leone and to keep the Council informed of significant developments."

At its 3720th meeting, on 4 December 1996, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

[3] S/PRST/1996/12.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[4]

"The Security Council warmly welcomes the Peace Agreement signed by the Government of Sierra Leone and the Revolutionary United Front in Abidjan on 30 November 1996.[5] The Agreement brings to an end a bitter conflict which has caused appalling suffering to the people of Sierra Leone. The Council pays tribute to the courage and determination of all those who have worked tirelessly towards this end. The Council hopes that the Agreement will provide encouragement to those working for peace in other parts of Africa.

"The Council commends in particular the role played by the Government of Côte d'Ivoire whose commitment and determination in the chairmanship of the negotiations between the parties have been crucial to this successful outcome. The Council also pays tribute to the support provided to the negotiations by the Special Envoy of the Secretary-General in close coordination with the Organization of African Unity, the Commonwealth, the Economic Community of West African States and other organizations and neighbouring countries.

"The Council continues to follow developments in Sierra Leone with close interest. The Peace Agreement is an essential first step towards national reconciliation and reconstruction. The Council will continue to support the development of peace and democracy in Sierra Leone. It notes in particular the need for a successful process of demobilization and reintegration of former combatants and stands ready to assist in this process. It stresses the importance of a coordinated international effort to alleviate the humanitarian situation in the country.

"The Council requests the Secretary-General to continue to monitor the situation in Sierra Leone and to keep the Council informed of further significant developments."

On 17 December 1996, the President of the Security Council addressed the following letter to the Secretary-General:[6]

"I have the honour to inform you that your letter dated 13 December 1996[7] concerning the Peace Agreement signed by the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone in Abidjan on 30 November 1996,[5] has been brought to the attention of the members of the Security Council.

"The members of the Council concur with your proposal to send an assessment mission to Sierra Leone to develop recommendations on ways in which the United Nations could assist in the development of peace and democracy in Sierra Leone, in particular the need for a successful process of demobilization and reintegration of former combatants."

[4] S/PRST/1996/46.

[5] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1034, annex.

[6] S/1996/1050.

[7] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1049.

SHOOTING DOWN OF TWO CIVIL AIRCRAFT ON 24 FEBRUARY 1996

Decisions

At its 3634th meeting, on 27 February 1996, the Security Council decided to invite the representative of Cuba to participate, without vote, in the discussion of the item entitled:

"Shooting down of two civil aircraft on 24 February 1996

"Letter dated 26 February 1996 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1996/130)".[1]

At its 3635th meeting, on 27 February 1996, the Council decided to invite the representative of Cuba to participate, without vote, in the discussion of the same item discussed at its 3634th meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[2]

"The Security Council strongly deplores the shooting down by the Cuban Air Force of two civil

[1] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*.

[2] S/PRST/1996/9.

aircraft on 24 February 1996, which apparently has resulted in the death of four persons.

"The Council recalls that according to international law, as reflected in article 3 *bis* of the Convention on International Civil Aviation of 7 December 1944,[3] added by the Montreal Protocol of 10 May 1984,[4] States must refrain from the use of weapons against civil aircraft in flight and must not endanger the lives of persons on board and the safety of aircraft. States are obliged to respect international law and human rights norms in all circumstances.

"The Council requests that the International Civil Aviation Organization investigate this incident in its entirety and calls upon the Governments concerned to cooperate fully with this investigation. The Council requests that the International Civil Aviation Organization report its findings to it as soon as possible. The Council will consider that report and any further information presented to it without delay."

At its 3683rd meeting, on 26 July 1996, the Council decided to invite the representatives of Colombia, Cuba, the Lao People's Democratic Republic and Viet Nam to participate, without vote, in the discussion of the item entitled:

"Shooting down of two civil aircraft on 24 February 1996

"Note by the Secretary-General (S/1996/509)".[5]

Resolution 1067 (1996)
of 26 July 1996

The Security Council,

Recalling the statement made by its President on 27 February 1996[2] strongly deploring the shooting down by the Cuban Air Force of two civil aircraft on 24 February 1996, which resulted in the death of four persons, and requesting the International Civil Aviation Organization to investigate this incident in its entirety and to report its findings to the Security Council,

Taking note of the resolution adopted by the Council of the International Civil Aviation Organization on 6 March 1996[6] which strongly deplored the shooting down of the two civil aircraft and which directed the Secretary-General of the International Civil Aviation Organization to initiate an immediate investigation of the incident in its entirety in accordance with the Security Council presidential statement of 27 February 1996 and to report on that investigation,

Commending the International Civil Aviation Organization for its examination of this incident, and welcoming the resolution adopted by the Council of the International Civil Aviation Organization on 27 June 1996,[7] transmitting the report of the Secretary-General of that organization to the Security Council,

Welcoming the report of the Secretary-General of the International Civil Aviation Organization regarding the shooting down of civil aircraft N2456S and N5485S by Cuban MiG-29 military aircraft,[8] and noting in particular the conclusions of the report,

Recalling the principle that every State has complete and exclusive sovereignty over the airspace above its territory, and that the territory of a State shall be deemed to be the land areas and territorial waters adjacent thereto, and noting in this connection that States shall be guided by the principles, rules, standards and recommended practices laid down in the Convention on International Civil Aviation of 7 December 1944 and the annexes thereto (the Chicago Convention),[3] including the rules relating to the interception of civil aircraft, and the principle, recognized under customary international law, concerning the non-use of weapons against such aircraft in flight,

1. *Endorses* the conclusions of the report of the International Civil Aviation Organization[8] and the resolution adopted by the Council of the International Civil Aviation Organization on 27 June 1996;[7]

2. *Notes* that the unlawful shooting down by the Cuban Air Force of two civil aircraft on 24 February 1996 violated the principle that States must refrain from the use of weapons against civil aircraft in flight and that, when intercepting civil aircraft, the lives of persons on board and the safety of the aircraft must not be endangered;

3. *Expresses deep regret* over the loss of four lives, and offers its deep sympathy and condolences to the bereaved families of the victims of this tragic event;

4. *Calls upon* all parties to acknowledge and comply with international civil aviation law and related internationally agreed procedures, including the rules and standards and recommended practices set out in the Chicago Convention;[3]

5. *Reaffirms* the principle that each State shall take appropriate measures to prohibit the deliberate use of any civil aircraft registered in that State or operated by an operator who has his principal place of business or permanent residence in that State for any purpose inconsistent with the aims of the Chicago Convention;

6. *Condemns* the use of weapons against civil aircraft in flight as being incompatible with elementary considerations of humanity, the rules of customary international law as codified in article 3 *bis* of the Chicago Convention, and the standards and recommended practices set out in the annexes of

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[3] United Nations, *Treaty Series*, vol. 15, No. 102.

[4] International Civil Aviation Organization, DOC 9436.

[5] See *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*.

[6] Ibid., document S/1996/509, enclosure 2, appendix A.

[7] Ibid., enclosure 1.

[8] Ibid., enclosure 2.

the Convention, and calls upon Cuba to join other States in complying with their obligations under these provisions;

7. *Urges* all States which have not yet done so to ratify as soon as possible the Montreal Protocol[4] adding article 3 *bis* to the Chicago Convention, and to comply with all the provisions of the article pending the entry into force of the Protocol;

8. *Welcomes* the decision of the Council of the International Civil Aviation Organization to initiate a study of the safety-related aspects of the report of the investigation with regard to the adequacy of standards and recommended practices and other rules relating to the interception of civil aircraft with a view to preventing the recurrence of a similar tragic event;

9. *Decides* to remain seized of the matter.

Adopted at the 3683rd meeting by 13 votes to none, with 2 abstentions (China and Russian Federation).

THE QUESTION CONCERNING HAITI[1]

Decision

At its 3638th meeting, on 29 February 1996, the Security Council decided to invite the representatives of Argentina, Bangladesh, Canada, Haiti and Venezuela to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Mission in Haiti (S/1996/112)".[2]

Resolution 1048 (1996) of 29 February 1996

The Security Council,

Recalling the provisions of its resolutions 841 (1993) of 16 June 1993, 861 (1993) of 27 August 1993, 862 (1993) of 31 August 1993, 867 (1993) of 23 September 1993, 873 (1993) of 13 October 1993, 875 (1993) of 16 October 1993, 905 (1994) of 23 March 1994, 917 (1994) of 6 May 1994, 933 (1994) of 30 June 1994, 940 (1994) of 31 July 1994, 944 (1994) of 29 September 1994, 948 (1994) of 15 October 1994, 975 (1995) of 30 January 1995 and 1007 (1995) of 31 July 1995,

Recalling also the resolutions adopted by the General Assembly on Haiti,

Recalling further the terms of the Governors Island Agreement [3] and the related New York Pact,[4]

Having considered the report of the Secretary-General of 14 February 1996,[5] and noting the recommendations contained therein,

Taking note of the letters dated 9 February 1996 from the President of the Republic of Haiti to the Secretary-General,[6]

Underlining the importance of the peaceful transfer of power to the new democratically elected President of Haiti,

Welcoming and supporting the efforts of the Organization of American States to promote in cooperation with the United Nations consolidation of peace and democracy in Haiti,

Stressing the need to ensure that the Government of Haiti will be able to maintain the secure and stable environment established by the multinational force in Haiti and maintained with the assistance of the United Nations Mission in Haiti, and in this context welcoming progress to establish a fully functioning Haitian National Police and to revitalize Haiti's system of justice,

Recognizing the link between peace and development and the fact that a sustained commitment by the international community to assist and support the economic, social and institutional development of Haiti is indispensable for long-term peace and stability in the country,

Commending the efforts of the Secretary-General and his Special Representative, the contribution of the United Nations Mission in Haiti and the International Civilian Mission in Haiti in support of the Haitian people's quest for stability, national reconciliation, lasting democracy, constitutional order and economic prosperity,

Acknowledging the contribution of the international financial institutions, including the Inter-American

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993, 1994 and 1995.

[2] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[3] Ibid., *Forty-eighth Year, Supplement for July, August and September 1993*, document S/26063, para. 5.

[4] Ibid., document S/26297.

[5] Ibid., *Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/112.

[6] Ibid., document S/1996/99; see also A/50/861/Add.1.

Development Bank, and the importance of their continued involvement in the development of Haiti,

Recognizing that the people of Haiti bear the ultimate responsibility for national reconciliation, the maintenance of a secure and stable environment and reconstruction of their country,

1. *Welcomes* the democratic election of a new President in Haiti and the peaceful transfer of power from one democratically elected President to another on 7 February 1996;

2. *Expresses appreciation* to all Member States which have contributed to the United Nations Mission in Haiti;

3. *Welcomes* the report of the Secretary-General of 14 February 1996,[5] and notes his recommendations for continued United Nations assistance to the democratically elected Government of Haiti;

4. *Reaffirms* the importance of a professional, self-sustaining, fully functioning national police force of adequate size and structure to the consolidation of peace, stability and democracy and the revitalization of Haiti's system of justice;

5. *Decides*, in accordance with the recommendations of the Secretary-General in his report of 14 February 1996, that for the purpose of assisting the democratic Government of Haiti in fulfilling its responsibilities to (*a*) sustain, by the presence of the Mission, the secure and stable environment which has been established, and (*b*) professionalize the Haitian National Police, the mandate of the Mission is extended for a final period of four months, for the purposes set out in paragraphs 47 to 49 of the report;

6. *Decides* to decrease the troop level of the Mission to no more than 1,200;

7. *Decides also* to reduce the current level of civilian police personnel to no more than 300;

8. *Requests* the Secretary-General to consider and implement, as appropriate, steps for further reduction of the strength of the Mission consistent with the implementation of this mandate;

9. *Also requests* the Secretary-General to initiate planning not later than 1 June 1996 for the complete withdrawal of the Mission;

10. *Further requests* the Secretary-General to report on the implementation of the present resolution by 15 June 1996, including information on activities by the United Nations system as a whole to promote the development of Haiti;

11. *Requests* all States to provide appropriate support for the actions undertaken by the United Nations and by Member States pursuant to the present and other relevant resolutions in order to carry out the provisions of the mandate as set out in paragraph 5 above;

12. *Reiterates* the commitment of the international community and international financial institutions to assist and support the economic, social and institutional development of Haiti, and stresses its importance for sustaining a secure and stable environment in Haiti;

13. *Appeals* to Member States to make voluntary contributions to the trust fund established in resolution 975 (1995) for the support of the Haitian National Police, to ensure that its members are adequately trained and that it is fully operational, which is essential for the implementation of the mandate;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3638th meeting.

Decisions

On 4 March 1996, the President of the Security Council addressed the following letter to the Secretary-General:[7]

> "I have the honour to inform you that your letter dated 1 March 1996 concerning your intention to appoint Mr. Enrique ter Horst to succeed Mr. Lakhdar Brahimi as your Special Representative for Haiti and Chief of the United Nations Mission in Haiti[8] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

On 4 March 1996, the President of the Security Council addressed the following letter to the Secretary-General:[9]

> "I have the honour to inform you that your letter dated 1 March 1996 concerning your intention to appoint Brigadier-General J. R. P. Daigle, of Canada, to succeed Major-General Joseph Kinzer of the United States of America as Commander of the military component of the United Nations Mission in Haiti[10] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 3676th meeting, on 28 June 1996, the Council decided to invite the representatives of Canada and Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Mission in Haiti (S/1996/416 and Add.1/Rev.1)".[11]

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[7] S/1996/156.

[8] S/1996/155.

[9] S/1996/158.

[10] S/1996/157.

[11] See *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996.*

Resolution 1063 (1996)
of 28 June 1996

The Security Council,

Recalling all its relevant resolutions and those adopted by the General Assembly,

Taking note of the request of 31 May 1996 from the President of the Republic of Haiti to the Secretary-General,[12]

Underlining the need to support the commitment of the Government of Haiti to maintain the secure and stable environment established by the multinational force in haiti and extended with the assistance of the United Nations Mission in Haiti,

Welcoming the report of the Secretary-General of 5 June 1996,[13]

Commending the role of the Mission in assisting the Government of Haiti in fulfilling its responsibilities (*a*) to sustain the secure and stable environment which has been established, and (*b*) to professionalize the Haitian National Police, and expressing appreciation to all Member States which have contributed to the Mission,

Noting the termination of the mandate of the Mission as of 30 June 1996, in accordance with resolution 1048 (1996) of 29 February 1996,

Noting also the key role played to date by the United Nations civilian police, supported by United Nations military personnel, in helping to establish a fully functioning Haitian National Police of adequate size and structure as an integral element of the consolidation of democracy and the revitalization of Haiti's system of justice, and, in this context, welcoming progress to establish the Haitian National Police,

Welcoming and supporting the efforts of the Organization of American States, in cooperation with the United Nations, and in particular the contribution of the International Civilian Mission in Haiti, to promote consolidation of peace and democracy in Haiti,

Taking note of the resolution on the international presence in Haiti adopted at the seventh plenary session of the twenty-sixth regular session of the Organization of American States, which, *inter alia*, encourages the international community to sustain the same level of commitment it demonstrated during the years of crisis and recommends that, at the request of the Government of Haiti, the community maintain a strong presence in Haiti and extend its full support for strengthening the national police force and consolidating the stable and democratic environment necessary for economic growth and development, and inviting the further participation of the Organization of American States,

Recognizing the link between peace and development, and stressing that a sustained commitment by the international community and the international financial institutions to assist and support the economic, social and institutional development in Haiti is indispensable for long-term peace and stability in the country,

Welcoming the continued progress towards consolidation of democracy by the people of Haiti since the historic peaceful transfer of power from one democratically elected President to another on 7 February 1996,

Recognizing that the people of Haiti bear the ultimate responsibility for national reconciliation, the maintenance of a secure and stable environment, the administration of justice, and the reconstruction of their country,

1. *Affirms* the importance of a professional, self-sustaining, fully functioning national police force of adequate size and structure, able to conduct the full spectrum of police functions, to the consolidation of democracy and revitalization of Haiti's system of justice;

2. *Decides* to establish the United Nations Support Mission in Haiti until 30 November 1996 in order to assist the Government of Haiti in the professionalization of the police force and in the maintenance of a secure and stable environment conducive to the success of the current efforts to establish and train an effective national police force, and supports the role of the Special Representative of the Secretary-General in the coordination of activities by the United Nations system to promote institution-building, national reconciliation and economic rehabilitation in Haiti;

3. *Decides* that the Support Mission initially will be composed of three hundred civilian police personnel and six hundred troops;

4. *Welcomes* the assurance that the Secretary-General will be alert to further opportunities to reduce the strength of the Support Mission so that it can implement its tasks at the lowest possible cost;

5. *Recognizes* that major tasks facing the Government and people of Haiti include economic rehabilitation and reconstruction, and stresses the importance of the Government of Haiti and the international financial institutions agreeing as soon as possible on the steps necessary to enable the provision of additional financial support;

6. *Requests* all States to provide appropriate support for the actions undertaken by the United Nations and by Member States pursuant to the present and other relevant resolutions in order to carry out the provisions of the mandate as set out in paragraph 2 above;

7. *Also requests* all States to make voluntary contributions to the trust fund established in resolution 975 (1995) of 30 January 1995 for the support of the Haitian National Police, to ensure that its members are adequately trained and that it is fully operational;

8. *Requests* the Secretary-General to report to the Council on the implementation of the present resolution,

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[12] Ibid., document S/1996/431, annex.

[13] Ibid., documents S/1996/416 and Add.1/Rev.1.

including prospects for further reductions in the strength of the Support Mission, by 30 September 1996;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 3676th meeting.

Decisions

On 5 July 1996, the President of the Security Council addressed the following letter to the Secretary-General:[14]

> "I have the honour to inform you that your letter dated 1 July 1996 regarding your intention to appoint Brigadier-General J. R. P. Daigle, of Canada, as Force Commander of the military component of the United Nations Support Mission in Haiti[15] has been brought to the attention of the members of the Security Council.
>
> "They agree with the proposal contained in your letter."

On 2 August 1996, the President of the Security Council addressed the following letter to the Secretary-General:[16]

> "I have the honour to inform you that your letter dated 30 July 1996 concerning the composition of the military and police elements of the United Nations Support Mission in Haiti[17] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and agree with the proposals mentioned therein."

On 5 November 1996, the President of the Security Council addressed the following letter to the Secretary-General:[18]

> "I have the honour to inform you that your letter dated 1 November 1996 concerning the addition to the police element of the United Nations Support Mission in Haiti[19] has been brought to the attention of the members of the Security Council. They agree with the proposal contained therein."

At its 3719th meeting, on 29 November 1996, the Council considered the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Support Mission in Haiti (S/1996/813 and Add.1)".[20]

Resolution 1085 (1996) of 29 November 1996

The Security Council,

Reaffirming its resolution 1063 (1996) of 28 June 1996 which established the United Nations Support Mission in Haiti,

1. *Decides* to extend the mandate of the United Nations Support Mission in Haiti for an additional period terminating on 5 December 1996;

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3719th meeting.

Decision

At its 3721th meeting, on 5 December 1996, the Security Council decided to invite the representatives of Argentina, Canada, Haiti and Venezuela to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Support Mission in Haiti (S/1996/813 and Add.1)".[20]

Resolution 1086 (1996) of 5 December 1996

The Security Council,

Recalling all its relevant resolutions and those adopted by the General Assembly,

Taking note of the request of 13 November 1996 from the President of the Republic of Haiti to the Secretary-General,[21]

Welcoming the report of the Secretary-General of 1 October 1996[22] and the addendum thereto of 12 November 1996,[23] and noting the recommendations contained therein,

Commending the role of the United Nations Support Mission in Haiti on its efforts to assist the Government of Haiti in the professionalization of the police force and in the maintenance of a secure and stable environment conducive to the success of the current efforts to establish and train an effective national police force,

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[14] S/1996/522.

[15] S/1996/521.

[16] S/1996/619.

[17] S/1996/618.

[18] S/1996/912.

[19] S/1996/911.

[20] See *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996.*

[21] Ibid., document S/1996/956, annex.

[22] Ibid., document S/1996/813.

[23] Ibid., document S/1996/813/Add.1.

Noting the improvement in recent months in the security situation in Haiti and the capacity of the Haitian National Police to confront existing challenges, as described in the addendum to the report of the Secretary-General,

Noting also the fluctuations in the security situation in Haiti described in the report of the Secretary-General and the addendum thereto,

Supporting the role of the Special Representative of the Secretary-General in the coordination of activities by the United Nations system to promote institution-building, national reconciliation and economic rehabilitation in Haiti,

Noting the key role played to date by the United Nations civilian police, supported by United Nations military personnel, in helping to establish a fully functioning Haitian National Police of adequate size and structure as an integral element of the consolidation of democracy and the revitalization of Haiti's system of justice, and, in this context, welcoming continued progress towards establishing the Haitian National Police,

Supporting the efforts of the Organization of American States in cooperation with the United Nations, and in particular the contribution of the International Civilian Mission in Haiti to promote consolidation of peace and democracy in Haiti,

Recognizing the link between peace and development, and stressing that a sustained commitment by the international community and the international financial institutions to assist and support the economic, social and institutional development in Haiti is indispensable for long-term peace and stability in the country,

Recognizing that the people of Haiti bear the ultimate responsibility for national reconciliation, the maintenance of a secure and stable environment, the administration of justice, and the reconstruction of their country,

1. *Affirms* the importance of a professional, self-sustaining, fully-functioning national police force of adequate size and structure, able to conduct the full spectrum of police functions, to the consolidation of democracy and the revitalization of Haiti's system of justice;

2. *Decides* to extend for the final time the mandate of the United Nations Support Mission in Haiti as set out in resolution 1063 (1996) of 28 June 1996 and in paragraphs 6 to 8 of the addendum to the report of the Secretary-General of 12 November 1996,[23] and in accordance with the request of the Government of Haiti, until 31 May 1997 with three hundred civilian police personnel and five hundred troops, except that, if the Secretary-General reports by 31 March 1997 that the Support Mission can make a further contribution to the goals set out in paragraph 1 above, it will be further extended, following a review by the Council, for the final time until 31 July 1997;

3. *Requests* the Secretary-General to report to the Council on the implementation of the present resolution, including recommendations on further reductions in the strength of the Support Mission, by 31 March 1997;

4. *Recognizes* that economic rehabilitation and reconstruction constitute the major tasks facing the Government and people of Haiti, and stresses the importance of the Government of Haiti and the international financial institutions continuing their close collaboration to enable the provision of additional financial support;

5. *Requests* all States to provide support for the actions undertaken by the United Nations and by Member States pursuant to the present and other relevant resolutions in order to carry out the provisions of the mandate specified in paragraph 2 above;

6. *Also requests* all States to make voluntary contributions to the trust fund established in resolution 975 (1995) of 30 January 1995 for the support of the Haitian National Police, to ensure that its members are adequately trained and that it is fully operational;

7. *Requests* the Secretary-General to include in his report of 31 March 1997 recommendations on the nature of a subsequent international presence in Haiti;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 3721st meeting.

COMMUNICATIONS CONCERNING RELATIONS BETWEEN THE REPUBLIC OF CAMEROON AND THE FEDERAL REPUBLIC OF NIGERIA

Decisions

On 29 February 1996, the President of the Security Council addressed the following letter to the President of the Republic of Cameroon and the Head of State and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria:[1]

> "The members of the Security Council have asked me to write to you and to [...] to express their concern about recent developments in the dispute between

[1] S/1996/150.

Cameroon and Nigeria regarding the Bakassi peninsula, taking note of the letter dated 22 February 1996 from the Minister for Foreign Affairs of Cameroon[2] and the letter dated 26 February 1996 from the Minister for Foreign Affairs of Nigeria.[3]

'The members of the Council deplore the resumption since 3 February 1996 of fighting between Nigeria and Cameroon in this area. This conflict threatens regional peace and stability. The members of the Council regret the loss of life and destruction suffered by civilians living in the Bakassi peninsula. The members of the Council remind your Government and the Government of [...] of the requirement of the Charter of the United Nations that all States shall settle their disputes by peaceful means.

"The members of the Council have noted that this dispute has already been referred to the International Court of Justice and the case is pending before the Court. The resumption of fighting, therefore, also threatens respect for peaceful dispute settlement mechanisms. Neither side should take any unilateral action, particularly the use of force, to complicate the dispute settlement process. The members of the Council urge you to redouble your efforts to reach a peaceful settlement through the International Court of Justice. The Council members also welcome bilateral and regional efforts undertaken to assist such a peaceful resolution of the dispute.

"The members of the Council call upon the parties to respect the ceasefire they agreed to on 17 February in Kara, Togo, and to refrain from further violence. They further call upon the parties to take necessary steps to return their forces to the positions they occupied before the dispute was referred to the International Court.

"The members of the Council welcome the Secretary-General's proposal to the parties that he should send a fact-finding mission to the Bakassi peninsula and urge your Government to cooperate fully with this mission. They have requested the Secretary-General, in consultation with the Secretary-General of the Organization of African Unity, to continue to monitor this matter closely and to report to the Council on the results of the fact-finding mission and any other significant developments."

On 29 May 1996, the President of the Security Council addressed the following letter to the Secretary-General:[4]

"I thank you for your letter dated 24 May 1996,[5] the contents of which have been brought to the attention of the members of the Security Council.

"The members of the Council request you to continue to keep them informed of the measures you are able to take to monitor the situation in the Bakassi peninsula, following the letters of the President of the Council dated 29 February 1996[1] and bearing in mind the Order of the International Court of Justice on provisional measures on the matter issued on 15 March 1996."[6]

On 31 October 1996, the President of the Security Council addressed the following letter to the Secretary-General:[7]

"I have the honour to inform you that your letter dated 9 October 1996 concerning the recent fact-finding mission to the Bakassi peninsula[8] has been brought to the attention of the members of the Security Council.

"The members of the Council are encouraged by the progress reported by the fact-finding mission and fully support your efforts to find ways to reduce the tension in the disputed area and to improve relations between the Republic of Cameroon and the Federal Republic of Nigeria while the dispute is before the International Court of Justice.

"The members of the Council encourage you to continue your efforts and look forward to further reports of progress achieved towards the settlement of the dispute, including details of the specific measures proposed by the two sides to improve relations between them."

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[2] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/125.

[3] Ibid., document S/1996/140.

[4] S/1996/391.

[5] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/390.

[6] *Land and Maritime Boundary between Cameroon and Nigeria, Provisional Measures, Order of 15 March 1996, I.C.J. Reports 1996*, p. 13.

[7] S/1996/892.

[8] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/891.

THE SITUATION BETWEEN IRAQ AND KUWAIT[1]

Decisions

On 12 March 1996, the President of the Security Council addressed the following letter to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of section C of Security Council resolution 687 (1991):[2]

> "The members of the Security Council have followed with concern the incident described in your letter dated 9 March 1996,[3] when immediate access was not allowed by the Iraqi authorities to a Special Commission inspection team which sought access to a site in Baghdad designated for inspection by the Commission. The members of the Council have also learned with concern of the further incident on 11 March 1996, when an inspection team was again not allowed immediate and unconditional access to a site similarly designated by the Special Commission. In both cases access was subsequently granted only after unacceptable delays.
>
> "The members of the Council fully support your continued efforts and those of the inspection teams in Iraq on the basis of the relevant Council resolutions. They endorse the contents of your letter dated 9 March 1996. They recall that under paragraph 9 (*b*) (i) of section C of Council resolution 687 (1991), Iraq is required to permit 'immediate on-site inspection of Iraq's biological, chemical and missile capabilities, based on Iraq's declarations and the designation of any additional locations by the Special Commission itself'. By its resolution 707 (1991) the Council also expressly demanded that Iraq 'allow the Special Commission, the International Atomic Energy Agency and their inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect'. The obligation is furthermore confirmed in the Commission's plan for ongoing monitoring and verification which was approved by the Council in resolution 715 (1991).
>
> "The members of the Council consider that Iraq's delay in permitting the inspection team currently in Iraq access to the sites concerned constitutes a clear violation by Iraq of the provisions of resolutions 687 (1991), 707 (1991) and 715 (1991). The members of the Council reiterate that the Government of Iraq must allow the Special Commission inspection team immediate, unconditional and unrestricted access to all sites designated by the Commission for inspection.
>
> "The members of the Council reiterate their full confidence in the execution by the Special Commission of the tasks entrusted to it by the Council."

At its 3642nd meeting, on 19 March 1996, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[4]

> "The Security Council has noted with growing concern that the incident described in the letter dated 9 March 1996 from the Executive Chairman of the Special Commission addressed to the President of the Security Council[3] and the further incident on 11 March 1996 in which an inspection team was again not allowed immediate and unconditional access to a site designated by the Commission under Council resolution 687 (1991) were followed by other such incidents on 14 and 15 March 1996. In all of these cases access was subsequently granted only after unacceptable delays.
>
> "The Council reiterates its full support for the Special Commission in the conduct of its inspections and the other tasks entrusted to it by the Council.
>
> "The Council takes note of the letter dated 17 March 1996 to its President from the Deputy Prime Minister of Iraq.[5] It recalls that, under paragraph 9 (*b*) (i) of section C of Council resolution 687 (1991), Iraq is required to permit 'immediate on-site inspection of Iraq's biological, chemical and missile capabilities, based on Iraq's declarations and the designation of any additional locations by the Special Commission itself'. By its resolution 707 (1991), the Council also expressly demanded that Iraq 'allow the Special Commission, the International Atomic Energy Agency and their inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect'. The obligation was furthermore confirmed in the Commission's plan for ongoing monitoring and verification which was approved by the Council in resolution 715 (1991); in this context the Council recalls

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[1] Resolutions or decisions on this question have been adopted by the Council every year since 1990.

[2] S/1996/183.

[3] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/182.

[4] S/PRST/1996/11.

[5] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/204, annex.

resolution 715 (1991); in this context the Council recalls the notes from the Secretary-General of 21 July[6] and 1 December 1993.[7]

"The Council considers that Iraq's delays in permitting the inspection team recently in Iraq access to the sites concerned constitute clear violations by Iraq of the provisions of resolutions 687 (1991), 707 (1991) and 715 (1991). The Council demands that the Government of Iraq allow the Special Commission inspection teams immediate, unconditional and unrestricted access to all sites designated by the Commission for inspection in accordance with the relevant resolutions of the Council."

At its 3644th meeting, on 27 March 1996, the Council considered the item entitled:

"The situation between Iraq and Kuwait

"Implementation of resolution 715 (1991)

"Letter dated 7 December 1995 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council (S/1995/1017)".[8]

Resolution 1051 (1996) of 27 March 1996

The Security Council,

Reaffirming its resolution 687 (1991) of 3 April 1991, in particular section C thereof, its resolution 707 (1991) of 15 August 1991, and its resolution 715 (1991) of 11 October 1991 and the plans for ongoing monitoring and verification approved thereunder,

Recalling the request in paragraph 7 of its resolution 715 (1991) to the Security Council Committee established by resolution 661 (1990), the Special Commission and the Director General of the International Atomic Energy Agency to develop in cooperation a mechanism for monitoring any future sales or supplies by other countries to Iraq of items relevant to the implementation of section C of resolution 687 (1991) and other relevant resolutions, including resolution 715 (1991) and the plans approved thereunder,

Having considered the letter dated 7 December 1995 to the President of the Security Council from the Chairman of the Committee established by resolution 661 (1990),[9] annex I to which contains the provisions for the mechanism for export/import monitoring called for in paragraph 7 of resolution 715 (1991),

Recognizing that the export/import monitoring mechanism is an integral part of ongoing monitoring and verification by the Special Commission and the International Atomic Energy Agency,

Recognizing that the export/import mechanism is not a regime for international licensing but rather for the timely provision of information by States in which companies are located which are contemplating sales or supplies to Iraq of items covered by the plans for ongoing monitoring and verification and will not impede Iraq's legitimate right to import or export for non-proscribed purposes, items and technology necessary for the promotion of its economic and social development,

Acting under Chapter VII of the Charter of the United Nations,

1. *Approves*, pursuant to the relevant provisions of its resolutions 687 (1991) and 715 (1991), the provisions for the export/import monitoring mechanism contained in annex I to the aforementioned letter dated 7 December 1995 ,[9] subject to the terms of the present resolution;

2. *Approves also* the general principles to be followed in implementing the mechanism, contained in the letter dated 17 July 1995 from the Executive Chairman of the Special Commission to the Chairman of the Security Council Committee established by resolution 661 (1990);[10]

3. *Affirms* that the mechanism approved by the present resolution is without prejudice to and shall not impair the operation of existing or future non-proliferation agreements or regimes on the international or regional level, including arrangements referred to in resolution 687 (1991), nor shall such agreements or regimes impair the operation of the mechanism;

4. *Confirms*, until the Council decides otherwise under its relevant resolutions, that requests by other States for sales to Iraq or requests by Iraq for import of any item or technology to which the mechanism applies shall continue to be addressed to the Committee established by resolution 661 (1990) for decision by that Committee in accordance with paragraph 4 of the mechanism;

5. *Decides*, subject to paragraphs 4 and 7 of the present resolution, that all States shall:

(*a*) Transmit to the joint unit constituted by the Special Commission and the Director General of the International Atomic Energy Agency, under paragraph 16 of the mechanism, the notifications, with the data from potential exporters, and all other relevant information when available to the States, as requested in the mechanism, on the intended sale or supply from their territories of any items or technologies

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[6] Ibid., *Forty-eighth Year, Supplement for July, August and September 1993*, document S/26127.

[7] Ibid., *Supplement for October, November and December 1993*, document S/26825.

[8] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*.

[9] Ibid., document S/1995/1017.

[10] Ibid., annex II.

which are subject to such notification in accordance with paragraphs 9, 11, 13, 24, 25, 27 and 28 of the mechanism;

(*b*) Report to the joint unit, in accordance with paragraphs 13, 24, 25, 27 and 28 of the mechanism, any information they may have at their disposal or may receive from suppliers in their territories of attempts to circumvent the mechanism or to supply Iraq with items prohibited to Iraq under the plans for ongoing monitoring and verification approved by resolution 715 (1991), or where the procedures for special exceptions laid down in paragraphs 24 and 25 of the mechanism have not been followed by Iraq;

6. *Decides* that the notifications required under paragraph 5 above shall be provided to the joint unit by Iraq, in respect of all items and technologies referred to in paragraph 12 of the mechanism, as from the date agreed upon between the Special Commission and the Director General of the International Atomic Energy Agency and Iraq, and in any event not later than sixty days after the adoption of the present resolution;

7. *Decides* that the notifications required under paragraph 5 above shall be provided to the joint unit by all other States as from the date the Secretary-General and the Director General of the International Atomic Energy Agency, after their consultations with the members of the Council and other interested States, report to the Council indicating that they are satisfied with the preparedness of States for the effective implementation of the mechanism;

8. *Decides* that the information provided through the mechanism shall be treated as confidential and restricted to the Special Commission and the International Atomic Energy Agency, to the extent that this is consistent with their respective responsibilities under resolution 715 (1991), other relevant resolutions and the plans for ongoing monitoring and verification approved under resolution 715 (1991);

9. *Affirms*, if experience over time demonstrates the need or new technologies so require, that the Council would be prepared to review the mechanism in order to determine whether any changes are required and that the annexes to the plans for ongoing monitoring and verification approved under resolution 715 (1991), which identify the items and technologies to be notified under the mechanism, may be amended in accordance with the plans, after appropriate consultations with interested States and, as laid down in the plans, after notification to the Council;

10. *Decides* that the Committee established by resolution 661 (1990) and the Special Commission shall carry out the functions assigned to them under the mechanism, until the Council decides otherwise;

11. *Requests* the Director General of the International Atomic Energy Agency to carry out, with the assistance and cooperation of the Special Commission, the functions assigned to him under the mechanism;

12. *Calls upon* all States and international organizations to cooperate fully with the Committee established by resolution 661 (1990), the Special Commission and the Director General of the International Atomic Energy Agency in the fulfilment of their tasks in connection with the mechanism, including supplying such information as may be sought by them in implementation of the mechanism;

13. *Calls upon* all States to adopt as soon as possible such measures as may be necessary under their national procedures to implement the mechanism;

14. *Decides* that all States shall, not later than forty-five days after the adoption of the present resolution, be provided by the Special Commission and the Director General of the International Atomic Energy Agency with information necessary to make preparatory arrangements at the national level prior to the implementation of the provisions of the mechanism;

15. *Demands* that Iraq meet unconditionally all its obligations under the mechanism approved by the present resolution and cooperate fully with the Special Commission and the Director General of the International Atomic Energy Agency in the performance of their tasks under the present resolution and the mechanism by such means as they may determine in accordance with their mandates from the Council;

16. *Decides* to consolidate the periodic requirements for progress reports under its resolutions 699 (1991), 715 (1991) and the present resolution and to request the Secretary-General and the Director General of the International Atomic Energy Agency to submit such consolidated progress reports every six months to the Council, commencing on 11 April 1996;

17. *Decides* to remain seized of the matter.

Adopted unanimously at the 3644th meeting.

Decisions

On 4 April 1996, the President of the Security Council addressed the following letter to Secretary-General:[11]

> "In accordance with the provisions of Security Council resolution 689 (1991) and in the light of your report of 1 April 1996,[12] the members of the Council have reviewed the question of termination or continuation of the United Nations Iraq-Kuwait Observation Mission, as well as its modalities of operation.
>
> "I have the honour to inform you that the members of the Council concur with your recommendation that the Mission be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 4 October 1996."

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[11] S/1996/247.

[12] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/225.

On 23 May 1996, the President of the Security Council addressed the following letter to Secretary-General:[13]

> "The members of the Security Council have asked me to thank you for your letter dated 20 May 1996,[14] with which you enclosed the text of the memorandum of understanding concluded that day between the Secretariat of the United Nations and the Government of Iraq on the implementation of Council resolution 986 (1995) of 14 April 1995. They welcome the conclusion of the memorandum of understanding and agree that it represents an important step towards the implementation of that resolution as a temporary measure to provide for the humanitarian needs of the Iraqi people. They extend their congratulations on this significant achievement. They look forward to being informed by the President of the Council that he has received the report from you requested in paragraph 13 of resolution 986 (1995)."

At its 3672nd meeting, on 12 June 1996, the Council considered the item entitled "The situation between Iraq and Kuwait".

Resolution 1060 (1996)
of 12 June 1996

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991 and 715 (1991) of 11 October 1991,

Recalling also the letter dated 9 March 1996 from the Executive Chairman of the Special Commission to the President of the Security Council ,[3] the letter dated 12 March 1996 from the President to the Executive Chairman,[2] the statement made at its 3642nd meeting on 19 March 1996 by the President ,[4] and the report of the Executive Chairman of 11 April 1996 (S/1996/258),[15]

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Recalling in this context the notes by the Secretary-General of 21 July[6] and 1 December 1993,[7]

Noting the progress made in the work of the Special Commission towards the elimination of Iraq's programmes of weapons of mass destruction, and outstanding problems, reported by the Executive Chairman of the Special Commission,

Noting with concern the incidents on 11 and 12 June 1996, reported to members of the Council by the Executive Chairman of the Special Commission, when access by a Special Commission inspection team to sites in Iraq designated for inspection by the Commission was excluded by the Iraqi authorities,

Emphasizing the importance the Council attaches to full compliance by Iraq with its obligations under resolutions 687 (1991), 707 (1991) and 715 (1991) to permit immediate, unconditional and unrestricted access to the Special Commission to any site the Commission wishes to inspect,

Emphasizing the unacceptability of any attempts by Iraq to deny access to any such site,

Acting under Chapter VII of the Charter of the United Nations,

1. *Deplores* the refusal of the Iraqi authorities to allow access to sites designated by the Special Commission, which constitutes a clear violation of the provisions of Security Council resolutions 687 (1991), 707 (1991) and 715 (1991);

2. *Demands* that Iraq cooperate fully with the Special Commission in accordance with the relevant resolutions, and that the Government of Iraq allow the Special Commission inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect;

3. *Expresses its full support* to the Special Commission in its efforts to ensure implementation of its mandate under the relevant resolutions of the Council;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 3672nd meeting.

Decisions

At its 3674th meeting, on 14 June 1996, the Security Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[16]

> "The Security Council condemns the failure of Iraq to comply with its resolution 1060 (1996) of 12 June 1996 by refusing access to sites designated by the Special Commission on 13 June 1996. Coming after the denial of access on 11 and 12 June 1996, this new dimension of non-compliance marks a serious step backwards in Iraq's cooperation with the Special Commission. The Council considers that these events constitute a clear and flagrant violation of its resolutions 687 (1991), 707 (1991) and 715 (1991).

[13] S/1996/365.

[14] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/356.

[15] Ibid., document S/1996/258, annex.

[16] S/PRST/1996/28.

"The Council reiterates its full support for the Special Commission in the conduct of its inspections and other tasks entrusted to it by the Council. The Council rejects attempts by Iraq to impose conditions on the conduct of inspections by the Special Commission.

"The Council demands once again that Iraq comply with the relevant resolutions of the Council and, in particular, allow the inspection teams of the Special Commission immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect.

"The Council requests the Executive Chairman of the Special Commission to visit Baghdad as soon as possible with a view to securing immediate, unconditional and unrestricted access to all sites which the Special Commission wishes to inspect and to engage in a forward-looking dialogue on other issues under the Commission's mandate. It further requests the Executive Chairman to report immediately afterwards on the results of his visit and on the impact of Iraqi policies on the mandate and work of the Special Commission."

At its 3691st meeting, on 23 August 1996, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[17]

"The Security Council, on the eve of the planned visit to Baghdad by the Executive Chairman of the Special Commission, strongly reaffirms its full support for the Special Commission in the conduct of its inspections and the other tasks entrusted to it by the Council. The Council reiterates the importance it attaches to full compliance by Iraq with the relevant resolutions of the Council. It underlines the important role of the Special Commission inspection teams and demands once again that they be given immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect, and Iraqi officials whom they wish to interview, so that the Special Commission may fully discharge its mandate.

"In this context, the Council remains gravely concerned at the failure by Iraq to comply fully with its resolution 1060 (1996) of 12 June 1996 and with other resolutions of the Council dealing with the Special Commission. The denial by Iraq, on repeated occasions, of immediate, unconditional and unrestricted access to sites which they wished to inspect and the attempts made by the Government of Iraq to impose conditions on the conduct of interviews with Iraqi officials by the Special Commission constitute a gross violation of its obligations under resolutions 687 (1991), 707 (1991) and 715 (1991). The Council notes that these actions also contradict commitments made by the Government of Iraq in its joint statement of 22 June 1996 with the Special Commission, and urges the Government of Iraq to respect these commitments. The Council reminds the Government of Iraq that only full compliance with its obligations under the relevant resolutions will enable the Executive Chairman of the Special Commission to present his report in accordance with section C of resolution 687 (1991). The Council will continue to consider how best to ensure Iraq's full compliance.

"The Council requests the Executive Chairman to report to it on the results of his visit."

On 9 October 1996, the President of the Security Council addressed the following letter to the Secretary-General:[18]

"In accordance with the provisions of Security Council resolution 689 (1991) and in the light of your report of 27 September 1996,[19] the members of the Council have reviewed the question of termination or continuation of the United Nations Iraq-Kuwait Observation Mission, as well as its modalities of operation.

"I have the honour to inform you that the members of the Council concur with your recommendation that the Mission be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 4 April 1997."

At its 3729th meeting, on 30 December 1996, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[20]

"The Security Council notes that the Special Commission and the Government of Iraq previously agreed that the investigation of unilateral destruction of proscribed items is a fundamental area to accelerate the verification of the Iraqi declarations. In this regard, the Council deplores the refusal by Iraq to allow the Special Commission to remove approximately 130 missile engines from Iraq for analysis by a team of international experts under the Special Commission. The Council notes that such action complicates the implementation by the Special Commission of its mandate.

[17] S/PRST/1996/36.

[18] S/1996/840.

[19] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/801.

[20] S/PRST/1996/49.

"The Council reaffirms that a full accounting for Iraq's missiles with a range greater than 150 kilometres is a necessary prerequisite to enable the Commission to report that Iraq has complied with the requirements of section C of resolution 687 (1991). The Council fully supports the intention of the Special Commission to carry out thoroughly the examination and analysis in the missile area, either on the basis of dispatching international teams of experts to Iraq or examining the relevant items abroad.

"The Council reminds the Government of Iraq of its obligation to comply with the provisions of the relevant resolutions and the need to cooperate fully with the Special Commission in order to enable it to report that the requirements of section C of resolution 687 (1991) are met. In this perspective, the Council affirms that Iraq is required to allow the Special Commission to remove the missile engines from its territory. The Council welcomes any proposal from Member States to offer their national facilities to the Special Commission in order to enable it to conduct the necessary analysis, if and when the Commission deems it necessary.

"The Council strongly reaffirms its full support for the Special Commission in the conduct of its mandate under the relevant resolutions of the Council. The Council reaffirms the right and privileges of the Special Commission as stated in its previous relevant resolutions, in particular resolutions 687 (1991), 707 (1991) and 715 (1991)."

ITEMS RELATING TO AN AGENDA FOR PEACE

An Agenda for Peace: peacekeeping[1]

Decisions

At its 3645th meeting, on 28 March 1996, the Security Council considered the item entitled "An Agenda for Peace: peacekeeping".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[2]

"The Security Council has reviewed the arrangements for consultation and exchange of information with troop-contributing countries, which were established by the statement by its President made on behalf of the Council on 4 November 1994.[3] The Council has given careful consideration to the views expressed on this question in its debate under the item entitled 'An Agenda for Peace: peacekeeping' at its 3611th meeting on 20 December 1995, as well as to the views expressed in debates in the General Assembly.

"The Council has noted the wish expressed in these debates that arrangements for consultation and exchange of information with troop-contributing countries should be improved. The Council shares this wish. It considers it essential for troop-contributing countries to be heard. It notes that many of the concerns expressed would be met if the arrangements set out in the statement by its President of 4 November 1994 were fully implemented. It is also of the view that those arrangements can be strengthened further as set forth below.

"The Council will therefore follow in future the procedures here set out:

"(*a*) Meetings will be held as a matter of course between members of the Council, troop-contributing countries and the Secretariat for the purpose of consultations and the exchange of information and views; the meetings will be chaired by the Presidency of the Council supported by a representative of the Secretariat;

"(*b*) The meetings will be held as soon as practicable and in good time before the Council takes decisions on the extension or termination of, or significant changes in, the mandate of a particular peacekeeping operation;

"(*c*) When the Council considers establishing a new peacekeeping operation, meetings will be held, unless it proves to be impracticable, with any prospective troop contributors who have already been approached by the Secretariat and who have indicated that they may be willing to contribute to the operation;

"(*d*) The President of the Council will, in the course of informal consultations with members of the Council, report the views expressed by participants at each meeting with troop-contributing or prospective troop-contributing countries;

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[1] Resolutions or decisions on this question were also adopted by the Council in 1994 and 1995.

[2] S/PRST/1996/13.

[3] S/PRST/1994/62.

"(*e*) The existing practice of inviting to these meetings Member States which make special contributions to peacekeeping operations other than troops, that is, contributions to trust funds, logistics and equipment, will continue;

"(*f*) The monthly tentative forecast of work of the Council made available to Member States will include an indication of the expected schedule of such meetings for the month;

"(*g*) Ad hoc meetings may be convened in the event of unforeseen developments in a particular peacekeeping operation which could require action by the Council;

"(*h*) These meetings will be in addition to those convened and chaired by the Secretariat for troop contributors to meet with special representatives of the Secretary-General or force commanders, or to discuss operational matters concerning particular peacekeeping operations, to which members of the Council will also be invited;

"(*i*) Background information and an agenda will be circulated by the Secretariat to the participants well in advance of each of the various meetings referred to above; members of the Council may also circulate information as appropriate;

"(*j*) Interpretation services in all the official languages of the Organization will continue to be available; translation of written documents will continue to be available, if possible in advance of the meetings;

"(*k*) The time and venue of each meeting should, where possible, appear in advance in the *Journal of the United Nations*;

"(*l*) The Council will append to its annual report to the General Assembly information about these meetings.

"The Council recalls that the arrangements described above are not exhaustive. They do not preclude consultations in a variety of forms, including informal communication between the President of the Council or the members of the Council and troop-contributing countries and, as appropriate, other countries especially affected, for example, countries from the region concerned.

"The Council will continue to keep arrangements for consultations and the exchange of information and views with troop contributors and prospective contributors under review and stands ready to consider further measures and new mechanisms to enhance further the arrangements in the light of experience."

Demining in the context of United Nations peacekeeping

Decisions

At its 3689th meeting, on 15 August 1996, the Security Council decided to invite the representatives of Argentina, Australia, Bosnia and Herzegovina, Canada, Colombia, Croatia, Hungary, India, the Islamic Republic of Iran, Ireland, Japan, Malaysia, New Zealand, Nicaragua, Norway, Pakistan, Panama, Ukraine and Uruguay to participate, without vote, in the discussion of the item entitled "Demining in the context of United Nations peacekeeping".

At the same meeting, the Council decided to extend an invitation to the Acting Permanent Observer of Switzerland to the United Nations to participate, without vote, in the discussion of the item.

At the same meeting also, the Council decided to extend an invitation to Mr. Peter Küng, head of delegation of the International Committee of the Red Cross to the United Nations, under rule 39 of the Council's provisional rules of procedure.

At its 3693rd meeting, on 30 August 1996, the Council considered the item entitled "Demining in the context of United Nations peacekeeping".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[4]

"The Security Council has reviewed the issue of demining in the context of United Nations peacekeeping and has given careful consideration to the views expressed in the open debate under the item entitled 'Demining in the context of United Nations peacekeeping' at its 3689th meeting on 15 August 1996.

"The Council, bearing in mind its responsibilities with regard to United Nations peacekeeping, notes that the widespread indiscriminate use of anti-personnel mines in areas of United Nations peacekeeping operations poses serious impediments to such operations and to the safety of United Nations and other international personnel. Against this background, the Council states the following:

"1. Operational demining should be, wherever appropriate, an important element and an integral part of peacekeeping mandates. This will facilitate the implementation of those mandates and better enable the

[4] S/PRST/1996/37.

Secretary-General to allocate appropriate resources towards achieving their objectives.

"2. The early deployment of mine clearance units will often be important to the effectiveness of a peacekeeping operation. The Council encourages the Special Committee on Peacekeeping Operations to examine options for achieving such early deployment. It also encourages Member States to examine whether and in what form they might be able to help in this respect.

"3. The tasks of, on the one hand, operational mine clearance during peacekeeping operations, which is the responsibility of the Department of Peacekeeping Operations, and, on the other hand, longer-term humanitarian mine-clearance activities, which fall under the responsibility of the Department of Humanitarian Affairs, are different. The Council is, however, aware of linkages and complementarities between different elements of conflict resolution as well as of the need to ensure a smooth transition from demining as a peacekeeping requirement to demining as part of peace-building in a follow-up phase.

"The Council, thus, is of the opinion that coordination and a clear delineation of responsibilities between the two Departments as well as with regard to other United Nations agencies dealing with demining could be further improved so as to avoid duplication of effort and to guarantee a coherent and integrated approach towards the whole range of short- and long-term demining needs. With particular reference to paragraph 51 of the report of the Special Committee on Peacekeeping Operations of 7 May 1996,[5] the Council requests the Secretary-General to intensify his efforts aiming in this direction.

"The Council emphasizes the importance of coordination by the United Nations of activities related to mine clearance in the context of United Nations peacekeeping, including those by regional organizations, in particular in the areas of information and training.

"4. The primary responsibility for demining in the context of United Nations peacekeeping lies with parties responsible for the laying of mines. Parties to a conflict must desist from further mine laying once a peacekeeping operation is established. They are also obliged to facilitate humanitarian and military demining efforts by providing detailed maps and other relevant information on those mines that have already been laid by them and by contributing financially or otherwise to their removal.

"5. The international community should intensify, multilaterally or bilaterally, its efforts in assisting those parties to a conflict which have shown their readiness to cooperate with mine clearance, mine awareness and training programmes in the context of United Nations peacekeeping operations. In this connection, the Council welcomes the establishment by the Secretary-General of a United Nations Voluntary Trust Fund for Demining as a necessary and timely mechanism to channel funding to humanitarian demining operations.

"The Council appeals to all States to contribute to this Fund as well as to other voluntary funds set up by the Secretary-General for certain peacekeeping operations which contain demining elements.

"6. Demining activities should, as much as possible, make use of the appropriate modern mine-clearance technologies and specialized equipment and focus on the creation and strengthening of local demining capabilities; training programmes should attach particular importance to this aspect. Where this would be of benefit to the operational effectiveness of a peacekeeping operation, consideration should also be given to including provision for the training of a local demining capability in mandates of peacekeeping operations.

"The Council encourages the Special Committee on Peacekeeping Operations, given its responsibility for a comprehensive review of the whole question of peacekeeping operations, to continue and intensify its consideration of the operational demining aspects of peacekeeping operations. These considerations might include an analysis of mine-clearance experience in previous peacekeeping operations.

"The Council is of the view that the elements outlined in this statement are not exhaustive. The Council will thus keep this issue under review in the context of the establishment of peacekeeping operations and the consideration of specific mandates."

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[5] A/51/130 and Corr.1.

THE SITUATION IN TAJIKISTAN AND ALONG THE TAJIK-AFGHAN BORDER[1]

Decisions

At its 3646th meeting, on 29 March 1996, the Security Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General on the situation in Tajikistan (S/1996/212)".[2]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

"The Security Council has considered the report of the Secretary-General of 22 March 1996 on the situation in Tajikistan.[4]

"The Council regrets that insufficient progress has been achieved during the continual round of the inter-Tajik talks in Ashgabad towards the solution of fundamental political and institutional issues. It calls upon the Tajik parties to accelerate substantially their efforts to reach agreement on the basis of the protocol on the fundamental principles for establishing peace and national accord in Tajikistan of 17 August 1995.[5] It urges them to negotiate constructively and in good faith and to search for solutions on the basis of mutual concessions and compromises.

"The Council is deeply concerned about the violations of the Tehran ceasefire agreement of 17 September 1994,[6] and in particular about the ongoing fighting in the Tavildara region. It appeals to the Tajik parties to comply strictly with all their obligations undertaken under this agreement. It reminds them that the mandate of the United Nations Mission of Observers in Tajikistan is subject to the proviso that the Tehran ceasefire agreement remains in force and the parties continue to be committed to an effective ceasefire, to national reconciliation and to the promotion of democracy. The Council notes with concern that the ongoing military operations and other violations of the ceasefire create doubt regarding the commitment of the parties to an effective ceasefire.

"The Council acknowledges the extension of the ceasefire by the parties for a further period of three months until 26 May 1996. It is concerned, however, that the ceasefire has been extended for only this short period. The Council fully supports the appeal by the Secretary-General to the Tajik opposition contained in his report to agree to the extension of the ceasefire agreement for the duration of the inter-Tajik talks.

"The Council reiterates the importance of direct political dialogue between the President of the Republic of Tajikistan and the leader of the Islamic Revival Movement of Tajikistan for the peace process and encourages them to hold the next meeting as soon as possible.

"The Council welcomes the position of the Majlis-i Oli (Parliament) of Tajikistan which at its special session on 11 and 12 March 1996 expressed its strong support for the efforts to achieve national reconciliation and for the search for compromise at the inter-Tajik talks held under the auspices of the United Nations. It regrets that the leaders of the Islamic Revival Movement of Tajikistan declined to participate in the special session of the Majlis-i Oli.

"The Council expresses its deep concern over the kidnapping on 24 February 1996 of the opposition co-chair of the Joint Commission and calls upon the Tajik Government to intensify its investigation into this incident. The Council joins the Secretary-General in calling upon the Government to provide the necessary security guarantees to allow the Joint Commission to function safely and effectively.

"The Council expresses the hope that the agreement on social accord in Tajikistan signed on 9 March 1996 in Dushanbe by the leaders of Tajikistan and of political parties, social movements and ethnic communities[7] will contribute to national reconciliation.

"The Council expresses its serious concern at the deterioration of the humanitarian situation in Tajikistan. It calls upon Member States and others concerned to respond promptly in support of the humanitarian relief efforts of the United Nations and other international organizations.

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993, 1994 and 1995.

[2] See *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996.*

[3] S/PRST/1996/14.

[4] *Official Records of the Security Council, Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/212.

[5] Ibid., *Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/720.

[6] Ibid., *Forty-ninth Year, Supplement for July, August and September 1994*, document S/1994/1080. A revised version of the agreement was subsequently issued as an annex to document S/1995/390 (see *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*).

[7] Ibid., *Fifty-first Year, Supplement for January, February and March 1996*, document S/1996/187, annex.

"The Council welcomes the positive role played by the Mission under difficult circumstances. The Council expresses deep concern over recent incidents in which Mission personnel were harassed and threatened and reiterates its call to the parties to cooperate fully with the Mission and to ensure the safety and freedom of movement of the personnel of the United Nations and other international organizations.

"The Council is concerned about delays in the establishment of a liaison post of the Mission at Taloqan (northern Afghanistan) and encourages the relevant Afghan authorities to facilitate its opening.

"The Council welcomes the creation of the office of an independent ombudsman for human rights in Tajikistan with the help of the Organization for Security and Cooperation in Europe and expresses the hope that his activities will contribute to a lessening of tensions.

"The Council commends the tireless efforts of the former Special Envoy of the Secretary-General in Tajikistan, Mr. Píriz-Ballón. It understands that his successor will be appointed promptly and expresses the hope that the new Special Envoy will begin without delay the preparation of the next phase of the continual round of the inter-Tajik talks which should be convened as soon as possible."

On 2 May 1996, the President of the Security Council addressed the following letter to the Secretary-General:[8]

"I have the honour to inform you that your letter dated 26 April 1996 concerning the appointment of Mr. Gerd Merrem, of Germany, as your Special Representative for Tajikistan[9] has been brought to the attention of the members of the Security Council. They welcome the decision contained in your letter."

At its 3665th meeting, on 21 May 1996, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Letter dated 16 May 1996 from the Permanent Representative of Tajikistan to the United Nations addressed to the President of the Security Council (S/1996/354)".[10]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[11]

"The Security Council condemns the recent violations of the Tehran ceasefire agreement of 17 September 1994,[6] in particular the planned and organized offensive by the armed Tajik opposition in the Tavildara region. It strongly deplores the loss of life of civilians and of members of the collective peacekeeping forces of the Commonwealth of Independent States as a result of acts of violence. It affirms that such acts are totally unacceptable.

"The Council expresses its grave concern that all such actions further aggravate the already serious humanitarian situation in Tajikistan. It demands the immediate cessation of the offensive actions and acts of violence.

"The Council reaffirms its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders.

"The Council emphasizes its support for the extension of the ceasefire agreement for the whole duration of the inter-Tajik talks, and notes that the Islamic Revival Movement of Tajikistan has agreed to extend the ceasefire, albeit only for a further period of three months. It calls upon the parties to demonstrate their commitment to peace by strict compliance with the ceasefire and other obligations which they have assumed, as well as with the relevant resolutions of the Council. It also reminds the parties that the mandate of the United Nations Mission of Observers in Tajikistan is subject to the proviso that the ceasefire agreement remains in force and that the parties continue to be committed to an effective ceasefire, to national reconciliation and to the promotion of democracy.

"The Council commends the personnel of the Mission for their contribution under difficult circumstances. It expresses its concern at the restrictions placed upon the Mission by the parties and calls upon them, in particular the Government of Tajikistan, to ensure the safety and freedom of movement of the personnel of the United Nations and other international organizations.

"The Council calls upon both parties to resolve their differences over the functioning of the Joint Commission, including the issue of security guarantees for Commission members, and to recommence the operations of the Commission as soon as possible.

"The Council is concerned that the worsening humanitarian situation makes it all the more urgent to obtain the required resources and calls upon Member States and others concerned to respond promptly in

[8] S/1996/327.

[9] S/1996/326.

[10] See *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996.*

[11] S/PRST/1996/25.

support of the humanitarian relief efforts of the United Nations and other international organizations.

"The Council invites the Secretary-General and his Special Representative to continue their efforts aimed at the earliest possible resumption of the inter-Tajik talks and calls upon the countries and regional organizations acting as observers at those talks to render all possible support to those efforts."

At its 3673rd meeting, on 14 June 1996, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General on the situation in Tajikistan (S/1996/412)".[10]

Resolution 1061 (1996)
of 14 June 1996

The Security Council,

Recalling all its relevant resolutions and the statements by its President,

Having considered the report of the Secretary-General of 7 June 1996,[12]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Expressing its grave concern at the serious deterioration of the situation in Tajikistan, and stressing the urgent need for the Tajik parties to adhere sincerely and in good faith to the commitments they have made,

Recalling the commitments made by the parties to resolve the conflict and to achieve national reconciliation in the country exclusively through peaceful, political means on the basis of mutual concessions and compromises, and stressing the inadmissibility of any hostile acts in Tajikistan and on the Tajik-Afghan border,

Stressing the need for an early resumption of talks between the Government of Tajikistan and the United Tajik Opposition, expressing the hope that substantive progress will be achieved as soon as possible towards a political settlement of the conflict, and encouraging the efforts of the Secretary-General and his Special Representative in this direction,

Emphasizing that the primary responsibility for resolving their differences rests with the Tajik parties themselves, and that the international assistance provided pursuant to the present resolution must be linked to the process of national reconciliation and the promotion of democracy,

Expressing its satisfaction at the regular contacts between the United Nations Mission of Observers in Tajikistan and the collective peacekeeping forces of the Commonwealth of Independent States, the Russian border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe,

1. *Expresses its appreciation* for the report of the Secretary-General of 7 June 1996;[12]

2. *Calls upon* the parties immediately to cease hostilities and to comply fully with the Tehran agreement[6] and all the other obligations they have assumed, and strongly urges them to extend the ceasefire for the whole duration of the inter-Tajik talks;

3. *Decides* to extend the mandate of the United Nations Mission of Observers in Tajikistan until 15 December 1996 subject to the proviso that the Tehran agreement remains in force and the parties demonstrate their commitment to an effective ceasefire, to national reconciliation and to the promotion of democracy, and further decides that this mandate will remain in effect unless the Secretary-General reports to the Council that these conditions have not been met;

4. *Expresses its intention* to review the future of the United Nations commitment in Tajikistan should the prospects for the peace process not have improved during the mandate period;

5. *Calls upon* the parties to cooperate fully with the Special Representative of the Secretary-General and to resume the round of inter-Tajik talks without delay in order to achieve a comprehensive political settlement of the conflict, with the assistance of the countries and regional organizations acting as observers at the inter-Tajik talks;

6. *Calls upon* the parties to cooperate fully with the Mission and to ensure the safety of the personnel of the United Nations and other international organizations, and also calls upon them, in particular the Government of Tajikistan, to lift all restrictions on the freedom of movement of Mission personnel;

7. *Also calls upon* the parties to resume the activities of the Joint Commission without delay and, in this context, encourages the Tajik opposition to accept in good faith the security guarantees offered to them by the Government of Tajikistan;

8. *Calls upon* the Afghan authorities and the United Tajik Opposition to finalize arrangements that would permit the establishment of an additional liaison post at Taloqan;

9. *Urges* the Tajik parties to cooperate fully with the International Committee of the Red Cross to facilitate the exchange of prisoners and detainees between the two sides;

10. *Requests* the Secretary-General to continue to report to the Council every three months on the implementation of the Tehran agreement, progress towards a comprehensive political settlement of the conflict and the operations of the Mission;

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[12] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/412.

11. *Expresses its deep concern* over the worsening of the humanitarian situation, aggravated by the recent natural calamities, and urges Member States and others concerned to respond promptly and generously in support of the humanitarian relief efforts of the United Nations and other international organizations;

12. *Encourages* States to contribute to the voluntary fund established by the Secretary-General in accordance with resolution 968 (1994) of 16 December 1994, in particular in the expectation of the resumption of work of the Joint Commission;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3673rd meeting.

Decisions

At its 3696th meeting, on 20 September 1996, the Security Council considered the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General on the situation in Tajikistan (S/1996/754)".[13]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[14]

"The Security Council has considered the report of the Secretary-General of 13 September 1996 on the situation in Tajikistan.[15]

"The Council expresses its concern at the deterioration of the situation in Tajikistan and at the increasing tension along the Tajik-Afghan border. It reaffirms its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders.

"The Council is also concerned about the violations of the Tehran ceasefire agreement of 17 September 1994[6] and about the failure of both parties to implement the Ashgabat agreements.[16] It is, in particular, concerned about the ongoing fighting in the Tavildara region and the seizure of the towns of Jirgatal and Tajikabad by the opposition. The Council demands the immediate cessation of all hostilities and acts of violence.

"The Council recalls the commitments made by the Government of Tajikistan and by the leadership of the United Tajik Opposition to resolve the conflict and to achieve national reconciliation through peaceful means. It regrets that these commitments have so far not been honoured.

"The Council commends the efforts of the United Nations Mission of Observers in Tajikistan and urgently calls upon the parties to cooperate fully with the Mission and to ensure the safety of the personnel of the United Nations and other international organizations. The Council also calls upon the parties to lift all restrictions on the freedom of movement of Mission personnel. In this connection it is concerned about the large-scale use of landmines owing to the threat it creates for the population and Mission personnel.

"The Council welcomes the initiative of the Secretary-General to arrange for an inter-agency mission to Tajikistan to determine how to respond most effectively to the humanitarian situation.

"The Council welcomes the renewed work of the Joint Commission and the results of its efforts in reducing tensions in the Garm region and in the Karategin valley.

"The Council emphasizes that the primary responsibility for resolving their differences rests with the Tajik parties themselves. It recalls paragraphs 3 and 4 of its resolution 1061 (1996) of 14 June 1996.

"The Council commends the efforts of the Special Representative of the Secretary-General and calls upon the parties to cooperate fully with him in resuming the inter-Tajik talks. The Council reiterates the importance of the continuation of direct political dialogue between the President of the Republic of Tajikistan and the leader of the United Tajik Opposition for the peace process and encourages them to hold their next meeting as soon as possible."

At its 3724th meeting, on 13 December 1996, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General on the situation in Tajikistan (S/1996/1010)".[17]

Resolution 1089 (1996) of 13 December 1996

The Security Council,

Recalling all its relevant resolutions and the statements by its President,

[13] Ibid., *Supplement for July, August and September 1996.*

[14] S/PRST/1996/38.

[15] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996,* document S/1996/754.

[16] Ibid., annex I.

[17] Ibid., *Supplement for October, November and December 1996.*

Having considered the report of the Secretary-General of 5 December 1996,[18]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Expressing its grave concern at the continuing deterioration of the situation in Tajikistan, and stressing the urgent need for the Government of Tajikistan and the leadership of the United Tajik Opposition to adhere sincerely to the commitments they have made to resolve the conflict and to achieve national reconciliation exclusively through peaceful, political means on the basis of mutual concessions and compromises,

Also expressing its grave concern at the ongoing fighting in Tajikistan and repeated violations of the Tehran ceasefire agreement of 17 September 1994[6] and about the failure of both parties to implement the Ashgabat agreements,[16]

Emphasizing that the primary responsibility for resolving their differences rests with the Tajik parties themselves, and that the international support provided pursuant to the present resolution must be linked to the process of national reconciliation and the promotion of democracy,

Expressing its satisfaction at the regular contacts between the United Nations Mission of Observers in Tajikistan and the collective peacekeeping forces of the Commonwealth of Independent States, the Russian border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe,

Commending the efforts of the Mission under difficult circumstances,

1. *Expresses its appreciation* for the report of the Secretary-General of 5 December 1996;[18]

2. *Condemns* the ongoing flagrant violations of the ceasefire by the parties, in particular the recent opposition offensive in the Garm region, and demands the immediate cessation of all hostilities and acts of violence;

3. *Calls upon* the parties to comply fully with the Tehran agreement[6] and all the other obligations they have assumed, and strongly urges them to extend the ceasefire for the whole duration of the inter-Tajik talks;

4. *Condemns* the terrorist acts and other acts of violence which have resulted in the loss of life of civilians as well as members of the collective peacekeeping forces of the Commonwealth of Independent States and the Russian border forces;

5. *Decides* to extend the mandate of the Mission until 15 March 1997 subject to the proviso that the Tehran agreement remains in force and the parties demonstrate their commitment to an effective ceasefire, to national reconciliation and to the promotion of democracy, and further decides that this mandate will remain in effect until that date unless the Secretary-General reports to the Council that these conditions have not been met;

6. *Welcomes* the intention of the Secretary-General to report to the Council by 15 January 1997 on the compliance by parties with the Tehran agreement and the results of meetings between the President of the Republic of Tajikistan and the leader of the United Tajik Opposition, and requests the Secretary-General also to provide recommendations in that report on the nature and size of the United Nations presence in Tajikistan in this light;

7. *Calls upon* the parties to cooperate fully with the Special Representative of the Secretary-General in resuming the inter-Tajik talks in order to achieve a comprehensive political settlement of the conflict, with the assistance of the countries and regional organizations acting as observers at the talks, and, in this context, welcomes the meeting between the President of the Republic of Tajikistan and the leader of the United Tajik Opposition on 10 and 11 December 1996 and encourages them to continue this dialogue;

8. *Welcomes* the efforts of the Joint Commission in defusing tensions between government and opposition forces on the ground;

9. *Strongly condemns* the gross mistreatment of members of the Mission by both parties, including threats against their lives, and urgently calls upon the parties to ensure the safety of the personnel of the United Nations and other international organizations, to cooperate fully with the Mission and to lift all restrictions on the freedom of movement of its personnel;

10. *Urges* the Tajik parties to cooperate fully with the International Committee of the Red Cross to facilitate the exchange of prisoners and detainees between the two sides;

11. *Expresses its serious concern* at the indiscriminate use of landmines in Tajikistan and the threat it poses to the population and Mission personnel, and welcomes the proposals of the Secretary-General in his report of 5 December 1996 in this regard;

12. *Expresses its deep concern* over the worsening of the humanitarian situation in Tajikistan, and calls upon Member States and others concerned to respond promptly and generously to the consolidated inter-agency donor alert on urgent humanitarian needs for the period from 1 December 1996 to 31 May 1997 launched by the Secretary-General;

13. *Encourages* States to contribute to the voluntary fund established by the Secretary-General in accordance with resolution 968 (1994) of 16 December 1994;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at 3724th meeting.

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[18] Ibid., document S/1996/1010.

THE SITUATION IN CAMBODIA[1]

Decisions

On 11 April 1996, the President of the Security Council addressed the following letter to the Secretary-General:[2]

> "I have the honour to inform you that your letter dated 8 April 1996[3] has been brought to the attention of the members of the Security Council. The members of the Council take note of the information contained in the letter and welcome your decision to extend the mandate of your representative in Cambodia for six months."

On 15 November 1996, the President of the Security Council addressed the following letter to the Secretary-General:[4]

> "I have the honour to inform you that your letter dated 13 November 1996[5] has been brought to the attention of the members of the Security Council. The members of the Council take note of the information contained in the letter and welcome your decision to extend the mandate of your representative in Cambodia for six months."

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[1] Resolutions or decisions on this question have been adopted by the Council every year since 1990.

[2] S/1996/267.

[3] S/1996/266.

[4] S/1996/948.

[5] S/1996/947.

SIGNATURE OF THE AFRICAN NUCLEAR-WEAPON-FREE ZONE TREATY (THE TREATY OF PELINDABA)

Decisions

At its 3651st meeting, on 12 April 1996, the Security Council considered the item entitled "Signature of the African Nuclear-Weapon-Free Zone Treaty (The Treaty of Pelindaba)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[1]

> "The Security Council notes with deep satisfaction the signature of the African Nuclear-Weapon-Free Zone Treaty (The Treaty of Pelindaba) on 11 April 1996 in Cairo and notes further the adoption of the Cairo Declaration[2] on that occasion.
>
> "This historic event marks a successful formalization of the commitment undertaken thirty-two years ago when the leaders of Africa adopted in July 1964 in Cairo the pioneering resolution of the first ordinary session of the Assembly of the Heads of State and Government of the Organization of African Unity,[3] which declared Africa a denuclearized zone.
>
> "The Council considers that the signing of the Treaty by more than forty African countries, as well as the signing of the relevant protocols to the Treaty by the majority of the nuclear-weapon States, constitute important steps towards the effective and early implementation of the Treaty. To that end it emphasizes the importance of early ratification of the Treaty with a view to securing its rapid entry into force.
>
> "The Council, reaffirming the statement made by its President on behalf of members of the Council at the meeting held at the level of heads of State and Government on 31 January 1992[4] that the proliferation of all weapons of mass destruction constitutes a threat to international peace and security, considers that the

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[1] S/PRST/1996/17.

[2] *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/276, annex.

[3] See *Official Records of the General Assembly, Twentieth Session, Annexes*, agenda item 105, document A/5975.

[4] S/23500; see *Resolutions and Decisions of the Security Council, 1992*, p. 65.

signature of the Treaty of Pelindaba constitutes an important contribution by the African countries to the maintenance of international peace and security.

"The Council seizes this occasion to encourage such regional efforts, and stands ready to support efforts on the international and regional level aimed at achieving the universality of the nuclear non-proliferation regime."

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES[1]

Decisions

At its 3652nd meeting, on 15 April 1996, the Security Council decided to invite the representatives of Algeria, Colombia, Cuba, the Islamic Republic of Iran, Israel, Japan, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Norway, Pakistan, Saudi Arabia, Senegal, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the occupied Arab territories

"Letter dated 10 April 1996 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the President of the Security Council (S/1996/257)".[2]

At the same meeting, in response to the request dated 12 April 1996 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council,[3] the Council decided that an invitation should be extended to the Permanent Observer of Palestine to participate in the debate in accordance with the Council's provisional rules of procedure and its previous practice in that regard.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

At the same meeting, the Council also decided, at the request of the representative of Guinea,[4] to extend an invitation to Mr. Engin Ahmet Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the provisional rules of procedure.

At its 3698th meeting, on 27 September 1996, the Council decided to invite the representatives of Algeria, Argentina, Australia, Bahrain, Brazil, Canada, Costa Rica, Cuba, Djibouti, India, Ireland, the Islamic Republic of Iran, Israel, Japan, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Norway, Oman, Pakistan, Saudi Arabia, Senegal, the Sudan, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the occupied Arab territories

"Letter dated 26 September 1996 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council (S/1996/790)[5]

"Letter dated 26 September 1996 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/1996/792)".[5]

At the same meeting, in response to the request dated 27 September 1996 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council,[6] the Council decided that an invitation should be extended to the head of the Observer Delegation of Palestine to the fifty-first session of the General Assembly and head of the Political Department of the Palestine Liberation Organization to participate in the debate in accordance with the Council's rules of procedure and its previous practice in that regard.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

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[1] Resolutions or decisions on this question were also adopted by the Council in 1976, 1979 to 1983, 1985 to 1992, 1994 and 1995.

[2] See *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996.*

[3] Document S/1996/274, incorporated in the record of the 3652nd meeting.

[4] Document S/1996/277, incorporated in the record of the 3652nd meeting.

[5] See *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996.*

[6] Document S/1996/797, incorporated in the record of the 3698th meeting.

Upon the first resumption of the 3698th meeting, the Council also decided, at the request of the representative of Guinea[7] to extend an invitation to Mr. Engin Ahmet Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the provisional rules of procedure.

Upon the second resumption of the 3698th meeting, on 28 September 1996, the Council continued its consideration of the item.

Resolution 1073 (1996)
of 28 September 1996

The Security Council,

Having considered the letter dated 26 September 1996 from the representative of Saudi Arabia, on behalf of the States members of the Group of Arab States, which referred to the action by the Government of Israel to open an entrance to a tunnel in the vicinity of Al Aqsa Mosque and its consequent results,[8]

Expressing its deep concern about the tragic events in Jerusalem and the areas of Nablus, Ramallah, Bethlehem and the Gaza Strip, which resulted in a high number of deaths and injuries among the Palestinian civilians, and concerned also about the clashes between the Israeli army and the Palestinian police and the casualties on both sides,

Recalling its resolutions on Jerusalem and other relevant Security Council resolutions,

Having discussed the situation at its formal meeting on 27 September 1996, with the participation of Ministers for Foreign Affairs of a number of countries,

Concerned about the difficulties facing the Middle East peace process and the deterioration of the situation, including its impact on the living conditions of the Palestinian people, and urging the parties to fulfil their obligations, including the agreements already reached,

Concerned about developments at the Holy Places of Jerusalem,

1. *Calls* for the immediate cessation and reversal of all acts which have resulted in the aggravation of the situation and which have negative implications for the Middle East peace process;

2. *Calls* for the safety and protection of Palestinian civilians to be ensured;

3. *Calls* for the immediate resumption of negotiations within the Middle East peace process on its agreed basis and the timely implementation of the agreements reached;

4. *Decides* to follow closely the situation and to remain seized of the matter.

Adopted at the 3698th meeting (second resumption) by 14 votes to none, with 1 abstention (United States of America).

[7] Document S/1996/799, incorporated in the record of the 3698th meeting (resumption 1).

[8] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/790.

LETTERS DATED 20 AND 23 DECEMBER 1991, FROM FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA[1]

Decisions

At its 3655th meeting, on 18 April 1996, the Security Council considered the item entitled "Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/23306, S/23307, S/23308, S/23309 and S/23317)".[2]

[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993, 1994 and 1995.

[2] See *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991*.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

> "On 16 April 1996, a Libyan-registered aircraft flew from Tripoli, Libyan Arab Jamahiriya, to Jeddah, Saudi Arabia. The Security Council considers this clear violation of Council resolution 748 (1992) of 31 March 1992 as totally unacceptable and calls upon Libyan Arab Jamahiriya to refrain from any further such violations. It recalls that arrangements have been made consistent with resolution 748 (1992) in order to fly Libyan pilgrims to perform the Hajj. The Council will review the matter should further violations occur.
>
> "The Council has requested the Committee established pursuant to resolution 748 (1992) to draw to the attention of Member States their obligations under resolution 748 (1992) in the event that Libyan-registered aircraft land in their territory."

[3] S/PRST/1996/18.

THE SITUATION IN CYPRUS[1]

Decisions

On 25 April 1996, the President of the Security Council addressed the following letter to the Secretary-General:[2]

> "I have the honour to inform you that your letter dated 18 April 1996 concerning your intention to appoint Mr. Han Sung-Joo, former Minister for Foreign Affairs of the Republic of Korea, as Special Representative for Cyprus[3] has been brought to the attention of the members of the Security Council. They agree with the decision contained in your letter."

At its 3675th meeting, on 28 June 1996, the Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/1996/411 and Corr.1 and Add.1);[4]
>
> "Report of the Secretary-General on his mission of good offices in Cyprus (S/1996/467)".[4]

[1] Resolutions or decisions on this question have been adopted by the Council every year since 1963.

[2] S/1996/321.

[3] S/1996/320.

[4] See *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996.*

Resolution 1062 (1996) of 28 June 1996

The Security Council,

Welcoming the report of the Secretary-General of 7 June 1996 on the United Nations operation in Cyprus,[5]

Welcoming also the report of the Secretary-General of 25 June 1996 on his mission of good offices in Cyprus,[6]

Taking note of the recommendation in his report of 7 June 1996 that the Security Council extend the mandate of the United Nations Peacekeeping Force in Cyprus,[7]

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions on the island that it is necessary to keep the Force in Cyprus beyond 30 June 1996,

Reaffirming its earlier relevant resolutions on Cyprus, in particular resolutions 186 (1964) of 4 March 1964, 939 (1994) of 29 July 1994 and 1032 (1995) of 19 December 1995,

Reiterating its concern that there has been no progress towards a final political solution, and agreeing with the assessment of the Secretary-General that the negotiations have been at an impasse for too long,

Regretting that no progress has been made in introducing measures to prohibit along the ceasefire lines live ammunition or weapons other than those which are hand-held and to prohibit the firing of weapons within sight or hearing of the buffer zone, or in extending the 1989 unmanning agreement,

[5] Ibid., documents S/1996/411 and Add.1.

[6] Ibid., document S/1996/467.

[7] Ibid., document S/1996/411, para. 42.

Expressing concern about the restrictions placed upon the freedom of movement of the Force in the northern part of the island, as described in paragraph 27 of the report of the Secretary-General of 7 June 1996,

1. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending on 31 December 1996;

2. *Welcomes* the appointment of Mr. Han Sung-Joo as the new Special Representative of the Secretary-General for Cyprus, and calls upon both parties to cooperate fully with him in his efforts to facilitate a comprehensive settlement of the Cyprus problem;

3. *Deplores* the tragic incident involving the fatal shooting of a Greek Cypriot National Guardsman inside the United Nations buffer zone on 3 June 1996, as well as the hindering by Turkish Cypriot soldiers of Force personnel attempting to assist the National Guardsman and investigate the incident, as documented in the report of the Secretary-General of 7 June 1996;

4. *Expresses serious concern* about the continuing modernization and upgrading of military forces in the Republic of Cyprus, the excessive levels of military forces and armaments and the lack of progress towards a significant reduction in the number of foreign troops in the Republic of Cyprus, once again urges all concerned to commit themselves to such a reduction and to a reduction in defence spending in the Republic of Cyprus to help to restore confidence between the parties and as a first step towards the withdrawal of non-Cypriot forces as described in the set of ideas,[8] stresses the importance of eventual demilitarization of the Republic of Cyprus as an objective in the context of an overall comprehensive settlement, and calls upon the Secretary-General to continue to promote efforts in this direction;

5. *Expresses serious concern also* about recent military exercises in the region, including overflights in the airspace of Cyprus by military fixed-wing aircraft, which have increased tension;

6. *Calls upon* the military authorities on both sides:

(*a*) To respect the integrity of the United Nations buffer zone, ensure that no further incidents occur along the buffer zone, prevent hostile actions, including live fire against the Force, grant the Force complete freedom of movement and extend their full cooperation to the Force;

(*b*) To enter immediately into discussions with the Force, in line with paragraph 3 of resolution 839 (1993) of 11 June 1993, with a view to adopting reciprocal measures to prohibit along the ceasefire lines live ammunition or weapons other than those which are hand-held and to prohibit also the firing of weapons within sight or hearing of the buffer zone;

(*c*) To clear all minefields and booby-trapped areas inside the buffer zone without further delay, as requested by the Force;

(*d*) To cease military construction in the immediate vicinity of the buffer zone;

(*e*) To enter immediately into intensive discussions with the Force with a view to extending the 1989 unmanning agreement to cover all areas of the buffer zone where the two sides are in close proximity to each other, on the basis of the updated proposals submitted by the Force Commander in June 1996;

7. *Welcomes* the measures that have been taken by the two parties in response to the humanitarian review conducted by the Force, regrets that the Turkish Cypriot side has not responded more fully to the recommendations made by the Force, calls upon the Turkish Cypriot side to respect fully the basic freedoms of the Greek Cypriots and Maronites living in the northern part of the island and to intensify its efforts to improve their daily lives, and calls upon the Government of Cyprus to continue its efforts to eliminate any discrimination against Turkish Cypriots living in the southern part of the island;

8. *Welcomes* the continuing efforts of the United Nations and diplomatic missions to promote bicommunal events, regrets the obstacles which have been placed in the way of such contacts, and strongly urges all concerned, and especially the Turkish Cypriot leadership, to lift and prevent all obstacles to such contacts;

9. *Requests* the Secretary-General to keep under review the structure and strength of the Force, with a view to its possible restructuring, and to present any new considerations he may have in this regard;

10. *Reiterates* that the status quo is unacceptable, and calls upon the parties to demonstrate concretely their commitment to an overall political settlement;

11. *Stresses its support* for the Secretary-General's mission of good offices and the importance of the concerted efforts to work with the Secretary-General towards an overall comprehensive settlement;

12. *Urges* the leaders of the two communities to respond positively and urgently to the Secretary-General's call upon them to work with him and with the many countries who support his mission of good offices to break the present impasse and establish common ground on which direct negotiations can be resumed;

13. *Recognizes* that the decision of the European Union concerning the opening of accession negotiations with Cyprus is an important new development that should facilitate an overall settlement;

14. *Requests* the Secretary-General to submit a report on the implementation of the present resolution by 10 December 1996;

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[8] Ibid., *Forty-seventh Year, Supplement for July, August and September 1992*, document S/24472.

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3675th meeting.

Decision

At its 3728th meeting, on 23 December 1996, the Security Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/1996/1016 and Add.1)[9]

"Report of the Secretary-General on his mission of good offices in Cyprus (S/1996/1055)".[9]

Resolution 1092 (1996) of 23 December 1996

The Security Council,

Welcoming the report of the Secretary-General of 10 December 1996 on the United Nations operation in Cyprus,[10]

Welcoming also the report of the Secretary-General of 17 December 1996 on his mission of good offices in Cyprus,[11]

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions on the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 31 December 1996,

Reaffirming its earlier relevant resolutions on Cyprus, in particular resolutions 186 (1964) of 4 March 1964, 939 (1994) of 29 July 1994 and 1062 (1996) of 28 June 1996,

Gravely concerned by the deteriorating situation in Cyprus and by the fact that intercommunal tensions on the island have escalated and, over the last six-month period, violence along the ceasefire lines has reached a level not seen since 1974, as stated in the report of the Secretary-General of 10 December 1996,

Concerned at the increased use of and threat to use violence against the personnel of the Force,

Noting the beginning of indirect discussions, through the Force Commander, between the military authorities of the two sides on measures aimed at the reduction of military tensions,

Reiterating its concern that negotiations on a final political solution have been at an impasse for too long,

1. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending on 30 June 1997;

2. *Deplores* the violent incidents of 11 and 14 August, 8 September and 15 October 1996, which resulted in the tragic deaths of three Greek Cypriot civilians and one member of the Turkish Cypriot Security Forces, as well as injuries to civilians and Force personnel, in particular the unnecessary and disproportionate use of force by the Turkish/Turkish Cypriot side, as well as the largely passive role played by the Cypriot police in response to civilian demonstrations;

3. *Reminds* both sides of their obligation to prevent acts of violence directed against Force personnel, particularly those involving firearms, which inhibit the Force from carrying out its mandated responsibilities, and demands that they ensure the Force complete freedom of movement and extend to it their full cooperation;

4. *Emphasizes* the need to maintain law and order and, in this context, demands that both parties prevent unauthorized incursions into the buffer zone and respond immediately and responsibly to any demonstrations which violate the buffer zone and any demonstrations near the buffer zone that might lead to an increase in tensions;

5. *Calls upon* the parties to accept as a package, without delay or preconditions, the reciprocal measures proposed by the Force, namely, (*a*) to extend the 1989 unmanning agreement to other areas where the two sides remain in close proximity to each other; (*b*) to prohibit loaded weapons along the ceasefire lines; and (*c*) to adopt a code of conduct, based on the concept of minimal force and proportional response, to be followed by troops of both sides along the ceasefire lines, and expresses its disappointment that no progress has been made towards implementing these measures thus far;

6. *Calls upon* the military authorities on both sides:

(*a*) To clear all minefields and booby-trapped areas inside the buffer zone without further delay, as requested by the Force;

(*b*) To cease military construction in the immediate vicinity of the buffer zone;

(*c*) To refrain from any military exercises along the buffer zone;

7. *Reiterates its grave concern* about the excessive levels of military forces and armaments in the Republic of Cyprus and the rate at which they are being expanded, upgraded and modernized, including by the introduction of sophisticated weaponry, as well as the lack of progress towards a significant reduction in the number of foreign troops in the Republic of Cyprus, which threaten to raise tensions both on the island and in the region and complicate efforts to negotiate an overall political settlement;

8. *Again calls upon* all concerned to commit themselves to a reduction in defence spending and a reduction

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[9] Ibid., *Fifty-first Year, Supplement for October, November and December 1996.*

[10] Ibid., documents S/1996/1016 and Add.1.

[11] Ibid., document S/1996/1055.

in the number of foreign troops in the Republic of Cyprus to help to restore confidence between the parties and as a first step towards the withdrawal of non-Cypriot forces as described in the set of ideas,[8] stresses the importance of eventual demilitarization of the Republic of Cyprus as an objective in the context of an overall comprehensive settlement, and calls upon the Secretary-General to continue to promote efforts in this direction;

9. *Expresses continuing concern* about military exercises in the region, including overflights in the airspace of Cyprus by military fixed-wing aircraft, which have markedly increased political tension on the island and undermined efforts towards achieving a settlement;

10. *Reiterates* that the status quo is unacceptable, and stresses its support for the Secretary-General's mission of good offices and the importance of the concerted efforts to work with the Secretary-General towards an overall comprehensive settlement;

11. *Welcomes* the efforts of the Special Representative of the Secretary-General, and of those working in support, to prepare the ground for open-ended direct negotiations in the first half of 1997 between the leaders of the two Cypriot communities in order to secure an overall settlement;

12. *Calls upon* the parties to cooperate with the Special Representative to that end, as well as with his intensified preparatory work in the first months of 1997, with the objective of clarifying the main elements of an overall settlement;

13. *Underlines* the fact that the success of this process will require the creation of genuine mutual confidence on both sides and the avoidance of actions which increase tension, and calls upon the leaders of both communities to create a climate of reconciliation and confidence;

14. *Reaffirms* its position that a Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant Security Council resolutions, in a bicommunal and bi-zonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession;

15. *Welcomes* the continuous efforts by the Force to implement its humanitarian mandate in respect of Greek Cypriots and Maronites living in the northern part of the island, and Turkish Cypriots living in the southern part, and regrets that there has been no further progress on the implementation of recommendations arising out of the humanitarian review undertaken by the Force in 1995;

16. *Welcomes* the continuing efforts of the United Nations and others in the international community to promote bicommunal events, regrets the obstacles which have been placed in the way of such contacts, and strongly urges all concerned, and especially the Turkish Cypriot community leadership, to lift all obstacles to such contacts;

17. *Reaffirms* that the decision of the European Union concerning the opening of accession negotiations with Cyprus is an important new development that should facilitate an overall settlement;

18. *Requests* the Secretary-General to keep under review the structure and strength of the Force, with a view to its possible restructuring, and to present any new considerations he may have in this regard;

19. *Also requests* the Secretary-General to submit a report by 10 June 1997 on the implementation of the present resolution;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3728th meeting.

LETTERS DATED 23 SEPTEMBER AND 3 AND 11 OCTOBER 1996 FROM THE PERMANENT REPRESENTATIVE OF THE REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

LETTERS DATED 23 SEPTEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL AND 27 SEPTEMBER 1996 ADDRESSED TO THE SECRETARY-GENERAL

Decisions

At its 3704th meeting, on 15 October 1996, the Security Council considered the item entitled:

"Letters dated 23 September and 3 and 11 October 1996 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of

the Security Council (S/1996/774, S/1996/824 and S/1996/847)[1]

"Letters dated 23 September 1996 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council and 27 September 1996 addressed to the Secretary-General (S/1996/768 and S/1996/800)".[2]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

"The Security Council has considered the letters from the Permanent Representative of the Republic of Korea to the United Nations[4] and the letters from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations[5] regarding the incident of a submarine of the Democratic People's Republic of Korea on 18 September 1996.

"The Council expresses its serious concern over this incident. The Council urges that the Korean Armistice Agreement[6] should be fully observed and that no action should be taken that might increase tension or undermine peace and stability on the Korean peninsula.

"The Council stresses that the Armistice Agreement shall remain in force until it is replaced by a new peace mechanism.

"The Council encourages both sides of the Korean peninsula to settle their outstanding issues by peaceful means through dialogue, so that peace and security on the peninsula will be strengthened."

[1] See *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*; and ibid., *Supplement for October, November and December 1996*.

[2] Ibid., *Supplement for July, August and September 1996*.

[3] S/PRST/1996/42.

[4] *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/774; and ibid., *Supplement for October, November and December 1996*, documents S/1996/824 and S/1996/847.

[5] Ibid., *Supplement for July, August and September 1996*, documents S/1996/768 and S/1996/800.

[6] Ibid., *Eighth Year, Supplement for July, August and September 1953*, document S/3079.

THE SITUATION IN THE GREAT LAKES REGION

Decisions

On 25 October 1996, the President of the Security Council addressed the following letter to the Secretary-General:[1]

"I have the honour to inform you that your letter dated 14 October 1996 concerning the situation in Zaire[2] has been brought to the attention of the members of the Security Council.

"The members of the Council are gravely concerned at the serious deterioration of the situation in eastern Zaire and at the effect that this is having on refugees, displaced persons and the inhabitants of the region. They express their full support for the efforts of the United Nations High Commissioner for Refugees in the Great Lakes region. They stress the importance of all parties exercising restraint and preventing conflict in the region. They have taken careful note of the recent statements by the authorities in Zaire and Rwanda that they will refrain from action which would further exacerbate the situation. They look to both Governments to relaunch their constructive bilateral dialogue with the aim of a peaceful settlement of the crisis along their common borders, which previously resulted in the issuing of the joint communiqué following the official visit to Rwanda by the Prime Minister of Zaire in August 1996.[3]

"The members of the Council express their full support for your initiative in sending a good offices mission, led by Assistant Secretary-General Ibrahima Fall, to Zaire to consult with the Government of Zaire on ways in which the United Nations can assist in improving the situation there. Given the urgency of the situation, they express the hope that Assistant Secretary-General Fall will be able to make an early report on his visit, and

[1] S/1996/876.

[2] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/875.

[3] Ibid., *Supplement for July, August and September 1996*, document S/1996/694, annex.

they will consider any recommendations which you may have in the light of that report."

On 30 October 1996, the President of the Security Council addressed the following letter to the Secretary-General:[4]

"I have the honour to inform you that your letter dated 29 October 1996 concerning your decision to appoint Mr. Raymond Chrétien, of Canada, as your Special Envoy for the Great Lakes region[5] has been brought to the attention of the members of the Security Council. They welcome the decision contained in your letter."

At its 3708th meeting, on 1 November 1996, the Council considered the item entitled:

"The situation in the Great Lakes region

"Letters dated 14 and 24 October 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/875 and S/1996/878)".[6]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[7]

"The Security Council is gravely concerned at the deteriorating situation in the Great Lakes region, in particular eastern Zaire, and at the effect of the continued fighting on the inhabitants of the region, and it condemns all acts of violence. It underlines the urgent need for a comprehensive and coordinated response by the international community to prevent any further escalation of the crisis there.

"The Council calls for an immediate ceasefire and a complete cessation of all fighting in the region. The Council calls upon all States to respect the sovereignty and territorial integrity of neighbouring States in accordance with their obligations under the Charter of the United Nations. In this connection, it urges all parties to refrain from the use of force as well as cross-border incursions and to engage in a process of negotiation.

"The Council, in the light of the letters from the Secretary-General to the President of the Council[8] and the information received from the United Nations High Commissioner for Refugees and the Assistant Secretary-General for Human Rights regarding the situation in eastern Zaire, is particularly concerned at the humanitarian situation and the resulting large-scale movements of refugees and displaced persons. It fully supports the efforts of the High Commissioner and humanitarian agencies to alleviate the suffering. It calls upon all parties in the region to allow humanitarian agencies and non-governmental organizations to deliver humanitarian assistance to those in need and to ensure the safety of all refugees as well as the security and freedom of movement of all international humanitarian personnel. It underlines the urgent need for the orderly voluntary repatriation and resettlement of refugees and the return of displaced persons, which are crucial elements for the stability of the region.

"The Council agrees with the Secretary-General that the situation in eastern Zaire constitutes a serious threat to the stability of the Great Lakes region. It is convinced that the complex problems at issue can only be resolved through early and substantive dialogue. The Council urges the Governments of the region to pursue such a dialogue without further delay in order to defuse the tension. The Council calls upon all States in the region to create the conditions necessary for the speedy and peaceful resolution of the conflict and to desist from any acts that may further exacerbate the situation. In this context, the Council welcomes all regional efforts aimed at defusing tension in the region, in particular the announcement of the meeting of regional leaders scheduled for 5 November 1996 in Nairobi.

"The Council fully supports the initiative of the Secretary-General to dispatch to the Great Lakes region a Special Envoy to consult with all concerned in order to establish the facts relating to the present conflict, to develop as a matter of urgency a plan to defuse tension and establish a ceasefire, to promote a process of negotiation, and to submit advice on the mandate to be given to a United Nations political presence which, in consultation with the Governments and parties concerned, will be established in the Great Lakes region. The Council also considers that the Special Envoy should be provided with adequate staff and logistic resources in order to carry out his mission. The Council also expressed the hope that the mediation efforts of the Organization of African Unity and the European Union will complement those of the Special Envoy of the Secretary-General. The Council calls upon all Governments and parties concerned to cooperate fully with the mission of the Special Envoy and to contribute to the search for a comprehensive solution to the problems facing the people of the Great Lakes region. Given the urgency of the situation, the Council expressed the hope that the Special Envoy will travel as soon as possible to the region and provide early information on the situation there.

"The Council reiterates that the present situation in eastern Zaire underlines the need to organize a conference for peace, security and development in the

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[4] S/1996/889.

[5] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/888.

[6] Ibid., *Supplement for October, November and December 1996*.

[7] S/PRST/1996/44.

[8] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, documents S/1996/875 and S/1996/878.

Great Lakes region under the auspices of the United Nations and the Organization of African Unity. To this end, it calls upon the Secretary-General to ask his Special Envoy to promote the convening and to encourage the adequate preparation of such a conference on an urgent basis.

"The Council will remain seized of the matter."

On 8 November 1996, the President of the Security Council addressed the following letter to the Secretary-General:[9]

"The members of the Security Council welcome the proposals put forth in your report of 17 October 1996 on the type of assistance the United Nations Observer Mission in Liberia could provide in support of the peace process in Liberia.[10] The members of the Council remain concerned, however, that conditions in Liberia may not be right for the implementation of these proposals at this time, given continued insecurity in some parts of the country.

"The members of the Council therefore encourage the Secretary-General to make all appropriate arrangements necessary to carry out these proposals, including examining methods used in other peacekeeping operations. The Council understands that the Secretary-General will follow the situation in Liberia closely and will not deploy the additional personnel and logistic resources needed to implement these proposals unless the factions take the concrete steps required to fulfil the commitments they have entered into under the revised timetable of the Abuja Agreement.[11]

"The members of the Council request the Secretary-General to advise it of any developments in this regard, either in the context of his next report or earlier if necessary."

At its 3710th meeting, on 9 November 1996, the Council decided to invite the representatives of Burundi, Rwanda and Zaire to participate, without vote, in the discussion of the item entitled:

"The situation in the Great Lakes region

"Letter dated 7 November 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/916)".[6]

Resolution 1078 (1996) of 9 November 1996

The Security Council,

Gravely concerned at the deteriorating situation in the Great Lakes region, in particular eastern Zaire, and at the effect of the continued fighting on the inhabitants of the region,

Recalling the statement by the President of the Security Council on the situation in the Great Lakes region of 1 November 1996[7] and the letters dated 14 and 24 October 1996 from the Secretary-General to the President of the Council,[8]

Particularly concerned at the humanitarian situation and the large-scale movements of refugees and internally displaced persons,

Deeply concerned at the obstacles to the efforts of all international humanitarian agencies to provide relief and assistance to those in need,

Stressing the need to address, as a matter of urgency, the humanitarian situation, and in this context underlining the necessity to adopt, in consultation with the States concerned, measures necessary to enable the return to the region of humanitarian agencies and to secure the prompt and safe delivery of humanitarian assistance to those in need,

Having considered the letter dated 7 November 1996 from the Secretary-General to the President of the Security Council,[12]

Welcoming the regional efforts which are aimed at reducing tension in the region, in particular the contribution made by the regional leaders at their summit meeting in Nairobi on 5 November 1996,

Taking note of the letter dated 6 November 1996 from the Permanent Representative of Kenya to the United Nations addressed to the Secretary-General, which contains the communiqué of the Nairobi regional summit on the crisis in eastern Zaire,[13]

Taking note also of the request addressed to the Council by the regional leaders at their meeting in Nairobi on 5 November 1996 to take urgent measures to ensure the establishment of safe corridors and temporary sanctuaries by deploying a neutral force,[14]

Noting that the regional leaders called for an intensification of efforts towards the voluntary repatriation of refugees to Rwanda,[15]

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[9] S/1996/917.

[10] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, documents S/1996/858 and Add.1.

[11] Ibid., *Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/742.

[12] Ibid., *Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/916.

[13] Ibid., document S/1996/914.

[14] Ibid., annex, para. 9.

[15] Ibid., para. 8.

Expressing its intention to respond positively on an urgent basis to those requests,

Bearing in mind the reaffirmation by the Nairobi regional summit of its commitment to the territorial integrity of Zaire, and stressing the need for all States to respect the sovereignty and territorial integrity of the States in the region in accordance with their obligations under the Charter of the United Nations,

Underlining the urgent need for the orderly and voluntary repatriation and resettlement of refugees and the return of internally displaced persons, which are crucial elements for the stability of the region,

Reiterating its support for the Special Envoy of the Secretary-General, and underlining the need for all Governments in the region and parties concerned to cooperate fully with the mission of the Special Envoy,

Welcoming the efforts of the mediators and representatives of the Organization of African Unity, the European Union and the States concerned, and encouraging them to coordinate closely their efforts with those of the Special Envoy,

Underlining the urgent need for an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity to address the problems of the region in a comprehensive way,

Taking note of the letter dated 8 November 1996 from the Chargé d'affaires of the Permanent Mission of Zaire to the United Nations addressed to the President of the Security Council,[16]

Determining that the magnitude of the present humanitarian crisis in eastern Zaire constitutes a threat to peace and security in the region,

A

1. *Condemns* all acts of violence, and calls for an immediate ceasefire and a complete cessation of all hostilities in the region;

2. *Calls upon* all States in the region to create the conditions necessary for the speedy and peaceful resolution of the crisis and to desist from any act that may further exacerbate the situation, and urges all parties to engage in a process of political dialogue and negotiation without delay;

3. *Reaffirms its commitment* to the establishment of conditions conducive to the voluntary repatriation of refugees to their country of origin as a crucial element for the stability of the region;

4. *Calls upon* all States to respect the sovereignty and territorial integrity of the States in the region in accordance with their obligations under the Charter of the United Nations;

5. *Calls upon* all those concerned in the region to create favourable and safe conditions to facilitate the delivery of international humanitarian assistance to those in need and to ensure the safety of all refugees as well as the security and freedom of movement of all international humanitarian personnel;

B

6. *Welcomes* the letter dated 7 November 1996 from the Secretary-General,[12] including in particular his proposal that a multinational force be set up for humanitarian purposes in eastern Zaire;

7. *Strongly urges* Member States, on an urgent and temporary basis and in cooperation with the Secretary-General and the Organization of African Unity, to prepare the necessary arrangements, in consultation with the States concerned, to allow the immediate return of humanitarian organizations and the safe delivery of humanitarian aid to displaced persons, refugees and civilians at risk in eastern Zaire, and to help to create the necessary conditions for the voluntary, orderly and secure repatriation of refugees;

8. *Requests* the Member States concerned to report on those arrangements as soon as possible to the Council, through the Secretary-General, to enable the Council to authorize the deployment of the multinational force referred to in paragraph 6 above upon receipt of the report, which, *inter alia*, will reflect the results of the consultations with the States concerned in the region and bear in mind the need to ensure the security and freedom of movement of the personnel of the multinational force;

9. *Decides* that the cost of implementing such an operation will be borne by the participating Member States and by other voluntary contributions, and encourages all Member States to contribute to the operation in any way possible;

C

10. *Requests* the Secretary-General, in consultation with his Special Envoy and the coordinator of humanitarian affairs, the United Nations High Commissioner for Refugees, the Organization of African Unity, the Special Envoy of the European Union and the States concerned:

(*a*) To draw up a concept of operations and framework for a humanitarian task force, with military assistance if necessary, drawing initially on immediately available contributions from Member States, with the objectives of:

- Delivering short-term humanitarian assistance and shelter to refugees and displaced persons in eastern Zaire;
- Assisting the United Nations High Commissioner for Refugees with the protection and voluntary repatriation of refugees and displaced persons;
- Establishing humanitarian corridors for the delivery of humanitarian assistance and to assist the

[16] Ibid., document S/1996/920.

voluntary repatriation of refugees after carefully ascertaining their effective will to repatriate;

(*b*) To seek the cooperation of the Government of Rwanda in, and to ensure international support for, further measures, including the deployment of additional international monitors, as appropriate, to build confidence and ensure a safe return of refugees;

(*c*) To report to the Council with recommendations no later than 20 November 1996;

11. *Calls upon* the Organization of African Unity, the States of the region and other international organizations to examine ways in which to contribute to and to complement efforts undertaken by the United Nations to defuse tension in the region, in particular in eastern Zaire;

12. *Expresses its readiness* to examine without delay the recommendations that the Secretary-General might submit in this regard;

D

13. *Invites* the Secretary-General, on an urgent basis and in close consultation with the Secretary-General of the Organization of African Unity, and with the States concerned, and in the light of the recommendations of his Special Envoy, to determine the modalities for convening an international conference for peace, security and development in the Great Lakes region and to make all necessary arrangements to convene such a conference;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3710th meeting.

Decision

At its 3713th meeting, on 15 November 1996, the Security Council decided to invite the representatives of Argentina, Austria, Belgium, Burundi, Cameroon, Canada, Congo, Denmark, Finland, Gabon, Ireland, Israel, Luxembourg, Mali, the Netherlands, Norway, Portugal, Rwanda, Spain, Sweden and Zaire to participate, without vote, in the discussion of the item entitled:

"The situation in the Great Lakes region

"Letter dated 14 November 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/941)".[6]

Resolution 1080 (1996) of 15 November 1996

The Security Council,

Reaffirming its resolution 1078 (1996) of 9 November 1996,

Gravely concerned at the continuing deteriorating situation in the Great Lakes region, in particular eastern Zaire,

Taking note of the communiqué issued at the fourth extraordinary session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity, held at the ministerial level in Addis Ababa on 11 November 1996,[17] as well as a communication dated 13 November 1996 from the Permanent Observer Mission of the Organization of African Unity to the United Nations,

Stressing the need for all States to respect the sovereignty and territorial integrity of the States in the region in accordance with their obligations under the Charter of the United Nations,

Underlining the obligation of all concerned strictly to respect the relevant provisions of international humanitarian law,

Having considered the letter dated 14 November 1996 from the Secretary-General to the President of the Security Council,[18]

Reiterating its support for the Special Envoy of the Secretary-General, and underlining the need for all Governments in the region and parties concerned to cooperate fully with the mission of the Special Envoy,

Welcoming the efforts of the mediators and representatives of the Organization of African Unity, the European Union and the States concerned, and encouraging them to coordinate closely their efforts with those of the Special Envoy,

Recognizing that the current situation in eastern Zaire demands an urgent response by the international community,

Reiterating the urgent need for an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity to address the problems of the region in a comprehensive way,

Determining that the present situation in eastern Zaire constitutes a threat to international peace and security in the region,

Bearing in mind the humanitarian purposes of the multinational force as specified below,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates its condemnation* of all acts of violence and its call for an immediate ceasefire and a complete cessation of all hostilities in the region;

[17] Ibid., document S/1996/922.

[18] Ibid., document S/1996/941.

2. *Welcomes* the letter from the Secretary-General dated 14 November 1996;[19]

3. *Welcomes* the offers made by Member States, in consultation with the States concerned in the region, concerning the establishment for humanitarian purposes of a temporary multinational force to facilitate the immediate return of humanitarian organizations and the effective delivery by civilian relief organizations of humanitarian aid to alleviate the immediate suffering of displaced persons, refugees and civilians at risk in eastern Zaire, and to facilitate the voluntary, orderly repatriation of refugees by the United Nations High Commissioner for Refugees as well as the voluntary return of displaced persons, and invites other interested States to offer to participate in these efforts;

4. *Welcomes also* the offer by a Member State to take the lead in organizing and commanding this temporary multinational force;[19]

5. *Authorizes* the Member States cooperating with the Secretary-General to conduct the operation referred to in paragraph 3 above to achieve, by using all necessary means, the humanitarian objectives set out therein;

6. *Calls upon* all concerned in the region to cooperate fully with the multinational force and humanitarian agencies and to ensure the security and freedom of movement of their personnel;

7. *Calls upon* the Member States participating in the multinational force to cooperate with the Secretary-General and to coordinate closely with the United Nations coordinator of humanitarian assistance for eastern Zaire and the relevant humanitarian relief operations;

8. *Decides* that the operation shall terminate on 31 March 1997, unless the Council, on the basis of a report of the Secretary-General, determines that the objectives of the operation were fulfilled earlier;

9. *Decides* that the cost of implementing this temporary operation will be borne by the participating Member States and by other voluntary contributions, and welcomes the establishment by the Secretary-General of a voluntary trust fund with the purpose of supporting African participation in the multinational force;

10. *Encourages* Member States to contribute urgently to this fund or otherwise to give support to enable African States to participate in this force, and requests the Secretary-General to report within twenty-one days of the adoption of the present resolution to enable the Council to consider the adequacy of these arrangements;

11. *Requests* the Member States participating in the multinational force to provide periodic reports at least twice monthly to the Council, through the Secretary-General, the first such report to be made no later than twenty-one days after the adoption of the present resolution;

12. *Expresses its intention* to authorize the establishment of a follow-on operation which would succeed the multinational force, and requests the Secretary-General to submit for its consideration a report, no later than 1 January 1997, containing his recommendations regarding the possible concept, mandate, structure, size and duration of such an operation, as well as its estimated costs;

13. *Requests* the Secretary-General to initiate detailed planning and to determine the willingness of Member States to contribute troops for the anticipated follow-on operation;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3713th meeting.

Decisions

On 23 December 1996, the President of the Security Council addressed the following letter to the Secretary-General:[20]

> "I have the honour to inform you that your letter to me dated 16 December 1996 enclosing a letter from the Permanent Representative of Canada to the United Nations dated 13 December 1996,[21] which recommends the termination of the mandate of the multinational force established by the Security Council in its resolution 1080 (1996), has been brought to the attention of the members of the Council.
>
> "The members of the Council take note of the view of the Government of Canada expressed in the letter dated 13 December 1996 and they agree that the functions of the multinational force have therefore come to an end.
>
> "The Council remains actively seized of the matter and would welcome periodic reports on the situation in the Great Lakes region."

On 30 December 1996, the President of the Security Council addressed the following letter to the Secretary-General:[22]

> "I have the honour to inform you that your further report of 20 December 1996 on the situation in the Great Lakes region of Africa[23] has been brought to the attention of the members of the Security Council.

[19] Ibid., annex.

[20] S/1996/1064.

[21] S/1996/1046.

[22] S/1996/1074.

[23] *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1063.

"In the light of the situation in the region, the members of the Council agree with your assessment that, in close consultation with the Organization of African Unity and with the agreement of the Governments concerned, there is a case for strengthening the capacity of the United Nations to perform three functions: the provision of good offices to those involved in the various conflicts in the region; the mobilization of international interest in, and support for, an integrated effort to address the region's problems; and coordination of the work of the United Nations system as a whole.

"In this regard, the members of the Council agree with the proposal contained in paragraph 17 of your report.

"The members of the Council reiterate also that the present situation in the area underlines the need to organize a conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity. To this end, it would seem appropriate for a Special Envoy of the Secretary-General to continue to promote the convening of such a conference and to encourage adequate preparations for such a conference on an urgent basis.

"The Council remains actively seized of the matter."

SECURITY COUNCIL WORKING METHODS AND PROCEDURE[1]

Decisions

On 24 January 1996, the President of the Security Council issued the following note:[2]

"1. Further to the note by the President of the Security Council dated 31 May 1995[3] concerning the Council's documentation and other procedural questions, the President wishes to state that all members of the Council have indicated their agreement with the following proposals:

"The following improvements should be introduced to make the procedures of the Sanctions Committees more transparent:

"The Chairman of each Committee should give an oral briefing to interested Members of the United Nations after each meeting, in the same way as the President of the Security Council now gives oral briefings following informal consultations of Council members;

"The Chairman of each Committee should be asked to bring to the attention of its members and of the Members of the United Nations the improvements in procedures of the Committee which were agreed to by the members of the Council on 29 March and 31 May 1995.[4]

"2. The members of the Council will continue their consideration of other suggestions concerning the Council's documentation and related matters."

On 24 January 1996, the President of the Security Council issued the following note:[5]

"1. As part of the efforts to improve the documentation of the Security Council, the members of the Council have again reviewed the list of matters of which the Council is seized.[6] The Council has decided to remove the following matters from the list: items Nos. 3, 4, 57 and 125.

"2. The members of the Council will continue to review from time to time the list of matters of which the Council is seized.

"3. The above decision has been taken after extensive consideration and appropriate consultation by the informal working group of the Council concerning the Council's documentation and other procedural questions.

"4 Neither the removal of a matter from the list of matters of which the Council is seized nor its retention carries any implication for the substance of the matter. The Council may at any time decide to include any matter in the agenda of a meeting of the Council, whether or not it is included in the list."

On 30 July 1996, the President of the Security Council issued a note which was reissued as follows on 22 August 1996:[7]

"1. As part of their efforts to improve the documentation of the Security Council, the members of the Council have again reviewed the list of matters of which the Council is seized. That list is contained in the summary statement by the Secretary-General established pursuant to rule 11 of the Council's provisional rules of procedure.[6]

"2. The Council has decided that, as of 15 September 1996, matters which have not been considered by the Council in the preceding five years will be automatically deleted from the list of matters of which the Council is seized.

"3. The result will be that in the next summary statement issued by the Secretary-General after 15 September 1996, the matters listed in the annex to the present note will be deleted. A matter will, however, be provisionally retained in the list of matters of which the Council is seized for a period of one year if a Member of the United Nations notifies its objection to its deletion before 15 September 1996. If at the end of one year the matter has still not been considered by the Council, it will be automatically deleted.

"4. The removal of a matter from the list of matters of which the Council is seized has no implication for the substance of the matter and does not affect the exercise by Member States of their right to bring matters to the attention of the Council in conformity with Article 35 of the Charter of the United Nations. The Council may at any time decide to include any matter in the agenda of a meeting of the Council, whether or not it is mentioned in the list.

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[1] Resolutions or decisions on this question were also adopted by the Council in 1994 and 1995.

[2] 2 S/1996/54.

[3] S/1995/438.

[4] See S/1995/234 and S/1995/438.

[5] S/1996/55.

[6] See S/1996/15.

[7] S/1996/603*.

"ANNEX

"Items not taken up by the Security Council in formal meetings during the five-year period 1991-1995

Item No.[a]	*Title*	*Meeting at which the item was last considered*
1	Special agreements under Article 43 of the Charter and the organization of the armed forces to be made available to the Security Council	157th, 15 July 1947
2	Rules of procedure of the Security Council	468th, 28 February 1950
5	The Palestine question	1328th, 25 November 1966
6	The India-Pakistan question	1251st, 5 November 1965
7	The Hyderabad question	426th, 24 May 1949
8	Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	812th, 21 February 1958
9	Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council	876th, 19 July 1960
10	Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council	923rd, 5 January 1961
11	Complaint by Kuwait in respect of the situation arising from the threat by Iraq to the territorial independence of Kuwait, which is likely to endanger the maintenance of international peace and security. Complaint by the Government of the Republic of Iraq in respect of the situation arising out of the armed threat by the United Kingdom to the independence and security of Iraq, which is likely to endanger the maintenance of international peace and security	960th, 7 July 1961
12	Letter dated 5 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council and letter dated 8 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council	1147th, 11 September 1964
13	Letter dated 6 September 1964 from the Permanent Representative of Turkey addressed to the President of the Security Council	1147th, 11 September 1964
15	The situation in the India/Pakistan subcontinent	1621st, 21 December 1971
16	Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council	1610th, 9 December 1971
17	Complaint by Cuba	1742nd, 18 September 1973
18	Arrangements for the proposed Peace Conference on the Middle East	1760th, 15 December 1973
19	Complaint by Iraq concerning incidents on its frontier with Iran	1770th, 28 May 1974

Item No.[a]	*Title*	*Meeting at which the item was last considered*
22	The situation in Timor	1915th, 22 April 1976
23	The Middle East problem including the Palestinian question	2622nd, 11 October 1985
24	The situation in the Comoros	1888th, 6 February 1976
25	Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories	1899th, 25 March 1976
27	The question of the exercise by the Palestinian people of its inalienable rights	2220th, 30 April 1980
28	Complaint by the Prime Minister of Mauritius, current Chairman of the Organization of African Unity, of the 'act of aggression' by Israel against the Republic of Uganda	1943rd, 14 July 1976
29	Complaint by Greece against Turkey	1953rd, 25 August 1976
30	Complaint by Benin	2049th, 24 November 1977
32	Complaint by Iraq	2288th, 19 June 1981
33	Letter dated 19 February 1983 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2418th, 23 February 1983
34	Letter dated 8 August 1983 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2468th, 16 August 1983
35	Letter dated 1 September 1983 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council Letter dated 1 September 1983 from the Permanent Observer for the Republic of Korea to the United Nations addressed to the President of the Security Council Letter dated 1 September 1983 from the Chargé d'affaires a.i. of the Permanent Mission of Canada to the United Nations addressed to the President of the Security Council Letter dated 1 September 1983 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council Letter dated 2 September 1983 from the Acting Permanent Representative of Australia to the United Nations addressed to the President of the Security Council	2476th, 12 September 1983
36	Letter dated 22 March 1984 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2526th, 2 April 1984

Item No.[a]	*Title*	*Meeting at which the item was last considered*
37	Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council	2546th, 1 June 1984
38	Letter dated 3 October 1984 from the Permanent Representative of the Lao People's Democratic Republic to the United Nations addressed to the President of the Security Council	2558th, 9 October 1984
39	Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	2615th, 4 October 1985
40	Letter dated 4 February 1986 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council	2655th, 6 February 1986
41	Letter dated 25 March 1986 from the Permanent Representative of Malta to the United Nations addressed to the President of the Security Council	2671st, 31 March 1986
	Letter dated 25 March 1986 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the Security Council	
	Letter dated 26 March 1986 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council	
42	Letter dated 12 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of Malta to the United Nations addressed to the President of the Security Council	2673rd, 14 April 1986
43	Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	
	Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of Burkina Faso to the United Nations addressed to the President of the Security Council	
	Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council	
	Letter dated 15 April 1986 from the Permanent Representative of Oman to the United Nations addressed to the President of the Security Council	2683rd, 24 April 1986
44	Letter dated 10 February 1988 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the President of the Security Council	
	Letter dated 10 February 1988 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council	2792nd, 17 February 1988
45	Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	2810th, 25 April 1988
46	Letter dated 17 December 1988 from the Permanent Representative of Angola to the United Nations addressed to the Secretary-General	2834th, 20 December 1988
	Letter dated 17 December 1988 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General	

Item No.[a]	*Title*	*Meeting at which the item was last considered*
47	Letter dated 4 January 1989 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2841st, 11 January 1989
	Letter dated 4 January 1989 from the Chargé d'affaires a.i. of the Permanent Mission of Bahrain to the United Nations addressed to the President of the Security Council	
49	Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council	2907th, 9 February 1990
50	United Nations peacekeeping operations	2924th, 30 May 1990"

[a] The item numbers refer to the listing of items under paragraph 13 of document S/1996/15.

On 29 August 1996, the President of the Security Council issued the following note:[8]

"1. As part of their efforts to improve the documentation of the Security Council, the members of the Council have further discussed the application of the note by the President of 30 July 1996, which was reissued on 22 August 1996,[7] in the light of the comments made by several members of the Organization to the President.

"2. With reference to paragraphs 2 and 3 of the note by the President,[7] the Council has decided that no item will be deleted from the list of matters of which the Council is seized without the prior consent of the Member States concerned in accordance with the following procedure:

"(*a*) The annual summary statement issued in January of each year by the Secretary-General on matters of which the Council is seized will identify the items to be deleted from the list in the absence of any notification by a Member State by the end of February of the year in question;

"(*b*) If a Member State notifies the Secretary-General that it wishes an item to remain on the list, that item will be retained;

"(*c*) The notification will remain in effect for one year and can be renewed annually.

"3. In this connection, the members of the Security Council recalled the Council's primary responsibility under Article 24 of the Charter of the United Nations for the maintenance of international peace and security as well as its own responsibility with regard to the implementation of its resolutions.

"4. The list of matters of which the Council is seized is annexed to the present note.

"5. Notifications received by 15 September 1996 in accordance with paragraph 3 of the note by the President[7] will remain in effect until the issuance of the annual summary statement by the Secretary-General in January 1998."

[8] S/1996/704.

"ANNEX

"List of matters of which the Security Council is seized

"The list of matters of which the Security Council is seized as at 29 August 1996[9] is as follows:

"1. Special agreements under Article 43 of the Charter and the organization of the armed forces to be made available to the Security Council

"2. Rules of procedure of the Security Council

"3. The Palestine question

"4. The India-Pakistan question

"5. The Hyderabad question

"6. Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General

"7. Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council

"8. Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council

"9. Complaint by Kuwait in respect of the situation arising from the threat by Iraq to the territorial independence of Kuwait, which is likely to endanger the maintenance of international peace and security. Complaint by the Government of the Republic of Iraq in respect of the situation arising out of the armed threat by the United Kingdom to the independence and security of Iraq, which is likely to endanger the maintenance of international peace and security

"10. Letter dated 5 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council and letter dated 8 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council

"11. Letter dated 6 September 1964 from the Permanent Representative of Turkey addressed to the President of the Security Council

"12. The situation in the Middle East

"13. The situation in the India/Pakistan subcontinent

"14. Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council

"15. Complaint by Cuba

"16. Arrangements for the proposed Peace Conference on the Middle East

"17. Complaint by Iraq concerning incidents on its frontier with Iran

"18. The situation in Cyprus

"19. The situation concerning Western Sahara

"20. The situation in Timor

"21. The Middle East problem including the Palestinian question

"22. The situation in the Comoros

"23. Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories

"24. The situation in the occupied Arab territories

"25. The question of the exercise by the Palestinian people of its inalienable rights

"26. Complaint by the Prime Minister of Mauritius, current Chairman of the Organization of African Unity, of the 'act of aggression' by Israel against the Republic of Uganda

"27. Complaint by Greece against Turkey

"28. Complaint by Benin

"29. The situation between Iran and Iraq

"30. Complaint by Iraq

"31. Letter dated 19 February 1983 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

"32. Letter dated 8 August 1983 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab

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[9] The present list of matters consists of:

(*a*) The list of matters contained in paragraph 13 of document S/1996/15 of 11 January 1996, minus items 3, 4, 57 and 125 of that list, which were removed by the decision of the Security Council set forth in the note by the President of the Security Council of 24 January 1996 (S/1996/55);

(*b*) Items 132 to 137, included in the agenda of the Council between 31 January and 15 August 1996.

Jamahiriya to the United Nations addressed to the President of the Security Council

"33. Letter dated 1 September 1983 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

Letter dated 1 September 1983 from the Permanent Observer for the Republic of Korea to the United Nations addressed to the President of the Security Council

Letter dated 1 September 1983 from the Chargé d'affaires a.i. of the Permanent Mission of Canada to the United Nations addressed to the President of the Security Council

Letter dated 1 September 1983 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council

Letter dated 2 September 1983 from the Acting Permanent Representative of Australia to the United Nations addressed to the President of the Security Council

"34. Letter dated 22 March 1984 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

"35. Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council

"36. Letter dated 3 October 1984 from the Permanent Representative of the Lao People's Democratic Republic to the United Nations addressed to the President of the Security Council

"37. Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council

"38. Letter dated 4 February 1986 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

"39. Letter dated 25 March 1986 from the Permanent Representative of Malta to the United Nations addressed to the President of the Security Council

Letter dated 25 March 1986 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the Security Council

Letter dated 26 March 1986 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council

"40. Letter dated 12 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of Malta to the United Nations addressed to the President of the Security Council

"41. Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of Burkina Faso to the United Nations addressed to the President of the Security Council

Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

Letter dated 15 April 1986 from the Permanent Representative of Oman to the United Nations addressed to the President of the Security Council

"42. Letter dated 10 February 1988 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the President of the Security Council

Letter dated 10 February 1988 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council

"43. Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council

"44. Letter dated 17 December 1988 from the Permanent Representative of Angola to the United Nations addressed to the Secretary-General

Letter dated 17 December 1988 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

"45. Letter dated 4 January 1989 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

Letter dated 4 January 1989 from the Chargé d'affaires a.i. of the Permanent Mission of Bahrain to the United Nations addressed to the President of the Security Council

"46. Central America: efforts towards peace

"47. Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

"48. United Nations peacekeeping operations

"49. The situation between Iraq and Kuwait

"50. The situation in Cambodia

"51. The situation in Liberia

"52. Letter dated 2 April 1991 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council

Letter dated 4 April 1991 from the Chargé d'affaires a.i. of the Permanent Mission of France to the United Nations addressed to the President of the Security Council

"53. Letter dated 17 May 1991 from the Chargé d'affaires a.i. of the Permanent Mission of Angola to the United Nations addressed to the President of the Security Council

Report of the Secretary-General on the United Nations Angola Verification Mission

"54. Letter dated 19 September 1991 from the Permanent Representative of Austria to the United Nations addressed to the President of the Security Council

Letter dated 19 September 1991 from the Permanent Representative of Canada to the United Nations addressed to the President of the Security Council

Letter dated 20 September 1991 from the Permanent Representative of Hungary to the United Nations addressed to the President of the Security Council

Letter dated 24 September 1991 from the Permanent Representative of Yugoslavia to the United Nations addressed to the President of the Security Council

"55. Letter dated 24 November 1991 from the Secretary-General addressed to the President of the Security Council

Letter dated 21 November 1991 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council

Letter dated 26 November 1991 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council

"56. Report of the Secretary-General pursuant to Security Council resolution 721 (1991)

"57. Oral report of the Secretary-General pursuant to his report of 5 January 1992

"58. Further reports of the Secretary-General pursuant to Security Council resolution 721 (1991)

"59. Letter dated 20 January 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Somalia to the United Nations addressed to the President of the Security Council

"60. (*a*) The situation between Iraq and Kuwait

(*b*) Letter dated 2 April 1991 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council

Letter dated 4 April 1991 from the Chargé d'affaires a.i. of the Permanent Mission of France to the United Nations addressed to the President of the Security Council

Letter dated 5 March 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Belgium to the United Nations addressed to the President of the Security Council

"61. The situation in Somalia

"62. Further report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)

"63. Report of the Secretary-General pursuant to Security Council resolution 743 (1992)

"64. Letter dated 23 April 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Austria to the United Nations addressed to the President of the Security Council

Letter dated 24 April 1992 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council

"65. The situation relating to Nagorny Karabakh

"66. Further report of the Secretary-General pursuant to Security Council resolution 749 (1992)

"67. Report of the Secretary-General pursuant to Security Council resolution 752 (1992)

Letter dated 26 May 1992 from the Permanent Representative of Canada to the United Nations addressed to the President of the Security Council

Letter dated 27 May 1992 from the Minister for Foreign Affairs of Bosnia and Herzegovina addressed to the President of the Security Council

"68. Report of the Secretary-General pursuant to Security Council resolution 757 (1992)

"69. Report of the Secretary-General pursuant to paragraph 15 of Security Council resolution 757 (1992) and paragraph 10 of Security Council resolution 758 (1992)

"70. Oral reports by the Secretary-General on 26 and 29 June 1992 pursuant to Security Council resolution 758 (1992)

"71. Further report of the Secretary-General pursuant to Security Council resolution 752 (1992)

"72. An agenda for peace: preventive diplomacy, peacemaking and peacekeeping

"73. Further report of the Secretary-General pursuant to Security Council resolutions 757 (1992), 758 (1992) and 761 (1992)

"74. Letter dated 11 July 1992 from the Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

Letter dated 12 July 1992 from the Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

Letter dated 13 July 1992 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council

Letter dated 13 July 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Slovenia to the United Nations addressed to the President of the Security Council

Letter dated 17 July 1992 from the Permanent Representatives of Belgium, France and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

"75. Report of the Secretary-General on the situation in Bosnia and Herzegovina

"76. Letter dated 4 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of the United States of America to the United Nations addressed to the President of the Security Council

Letter dated 4 August 1992 from the Permanent Representative of Venezuela to the United Nations addressed to the President of the Security Council

"77. Report of the Secretary-General pursuant to Security Council resolution 762 (1992)

"78. Letter dated 7 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Belgium to the United Nations addressed to the President of the Security Council

Letter dated 7 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of France to the United Nations addressed to the President of the Security Council

Letter dated 7 August 1992 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

Letter dated 7 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of the United States of America to the United Nations addressed to the President of the Security Council

"79. Letter dated 10 August 1992 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council

Letter dated 10 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the President of the Security Council

Letter dated 10 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

Letter dated 10 August 1992 from the Permanent Representative of Malaysia to the United Nations addressed to the President of the Security Council

Letter dated 11 August 1992 from the Permanent Representative of Senegal to the United Nations addressed to the President of the Security Council

Letter dated 11 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations addressed to the President of the Security Council

Letter dated 10 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the President of the Security Council

Letter dated 11 August 1992 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

Letter dated 12 August 1992 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

Letter dated 13 August 1992 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the President of the Security Council

Letter dated 13 August 1992 from the Permanent Representative of Bahrain to the United Nations addressed to the President of the Security Council

Letter dated 13 August 1992 from the Permanent Representative of the Comoros to the United Nations addressed to the President of the Security Council

Letter dated 13 August 1992 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council

"80. Letter dated 28 August 1992 from the Secretary-General addressed to the President of the Security Council

"81. Letter dated 24 August 1992 from the Secretary-General addressed to the President of the Security Council

"82. The situation in Bosnia and Herzegovina[10]

"83. Report of the Secretary-General on the situation in Bosnia and Herzegovina

"84. Draft resolution contained in document S/24570

"85. Further report of the Secretary-General pursuant to Security Council resolutions 743 (1992) and 762 (1992)

"86. Letter dated 10 August 1992 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council

Letter dated 10 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the President of the Security Council

Letter dated 10 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

Letter dated 10 August 1992 from the Permanent Representative of Malaysia to the United Nations addressed to the President of the Security Council

Letter dated 11 August 1992 from the Permanent Representative of Senegal to the United Nations addressed to the President of the Security Council

Letter dated 11 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations addressed to the President of the Security Council

Letter dated 10 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the President of the Security Council

Letter dated 11 August 1992 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

Letter dated 12 August 1992 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

Letter dated 13 August 1992 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the President of the Security Council

Letter dated 13 August 1992 from the Permanent Representative of Bahrain to the United Nations addressed to the President of the Security Council

Letter dated 13 August 1992 from the Permanent Representative of the Comoros to the United Nations addressed to the President of the Security Council

Letter dated 13 August 1992 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council

Letter dated 5 October 1992 from the Permanent Representatives of Egypt, the Islamic Republic of Iran, Pakistan, Saudi Arabia, Senegal and Turkey addressed to the President of the Security Council

"87. Oral report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II)

"88. The situation in Georgia

"89. The situation in Mozambique

"90. Letter dated 27 October 1992 from the Secretary-General addressed to the President of the Security Council

"91. Letter dated 29 October 1992 from the Secretary-General addressed to the President of the Security Council

"92. The situation in Tajikistan

"93. (*a*) The situation between Iraq and Kuwait

(*b*) Letter dated 2 April 1991 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council

Letter dated 4 April 1991 from the Chargé d'affaires a.i. of the Permanent Mission of France to the United Nations addressed to the President of the Security Council

Letter dated 5 March 1992 from the Chargé d'affaires a.i. of the Permanent Mission of

[10] As from the 3199th meeting, held on 16 April 1993, the item was reformulated to read "The situation in the Republic of Bosnia and Herzegovina". Subsequently, at the 3647th meeting, held on 4 April 1996, the item was reformulated to read "The situation in Bosnia and Herzegovina" (see S/1996/15/Add.13).

Belgium to the United Nations addressed to the President of the Security Council

Letter dated 3 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Belgium to the United Nations addressed to the President of the Security Council

Letter dated 19 November 1992 from the Permanent Representative of Belgium to the United Nations addressed to the President of the Security Council

"94. Report of the Secretary-General on the former Yugoslav Republic of Macedonia

"95. Letter dated 18 December 1992 from the Secretary-General addressed to the President of the Security Council

"96. The situation prevailing in and adjacent to the United Nations Protected Areas in Croatia

"97. The situation in Angola

"98. Further report of the Secretary-General pursuant to Security Council resolution 743 (1992)

"99. Establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia

"100. The situation concerning Rwanda

"101. Report of the Secretary-General pursuant to Security Council resolution 807 (1992)

"102. Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council

"103. Letter dated 12 March 1993 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

Letter dated 19 March 1993 from the Secretary-General addressed to the President of the Security Council

Note by the Secretary-General

"104. The question concerning Haiti

"105. The situation in the former Yugoslav Republic of Macedonia

"106. Applications made under Article 50 of the Charter of the United Nations as a consequence of the implementation of measures imposed against the former Yugoslavia

"107. Follow-up to resolution 817 (1993)

"108. United Nations Protection Force

"109. Complaint by Ukraine regarding the decree of the Supreme Soviet of the Russian Federation concerning Sevastopol

"110. Conference on Security and Cooperation in Europe missions in Kosovo, Sandjak and Vojvodina, the Federal Republic of Yugoslavia (Serbia and Montenegro)

"111. The situation in Tajikistan and along the Tajik-Afghan border

"112. The situation in Croatia

"113. Security of United Nations operations

"114. Navigation on the Danube river in the Federal Republic of Yugoslavia (Serbia and Montenegro)

"115. The situation in Burundi

"116. Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America

"117. The situation in Afghanistan

"118. Note by the Secretary-General (S/1994/254)

Note by the Secretary-General (S/1994/322)

"119. Agreement signed on 4 April 1994 between the Governments of Chad and the Libyan Arab Jamahiriya concerning the practical modalities for the implementation of the Judgment delivered by the International Court of Justice on 3 February 1994

"120. Note by the Secretary-General transmitting a letter dated 27 May 1994 from the Director General of the International Atomic Energy Agency (IAEA) addressed to the Secretary-General (S/1994/631)

"121. The situation in the Republic of Yemen

"122. An agenda for peace: peacekeeping

"123. Agreed framework of 21 October 1994 between the United States of America and the Democratic People's Republic of Korea

"124. The situation prevailing in and around the safe area of Bihac

"125. Letter dated 14 December 1994 from the Chairman of the Security Council Committee established pursuant to resolution 724 (1991) concerning

Yugoslavia addressed to the President of the Security Council (S/1994/1418)

"126. Security Council working methods and procedure

"127. An Agenda for Peace

"128. The proposal by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America on security assurances

"129. Navigation on the Danube river

"130. The situation in the former Yugoslavia

"131. The situation in Sierra Leone

"132. Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995 (S/1996/10)[11]

"133. Shooting down of two civil aircraft on 24 February 1996[12]

"134. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States

Appointment of the Prosecutor[13]

"135. Signature of the African Nuclear-Weapon-Free Zone Treaty (The Treaty of Pelindaba)[14]

"136. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia[15]

"137. Demining in the context of United Nations peacekeeping"[16]

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[11] The matter was included in the agenda of the Council at the 3627th meeting, held on 31 January 1996 (see S/1996/15/Add.4).

[12] The matter was included in the agenda of the Council at the 3634th meeting, held on 26 February 1996 (see S/1996/15/Add.8).

[13] The matter was included in the agenda of the Council at the 3637th meeting, held on 29 February 1996 (see S/1996/15/Add.8).

[14] The matter was included in the agenda of the Council at the 3651st meeting, held on 12 April 1996 (see S/1996/15/Add.14).

[15] The matter was included in the agenda of the Council at the 3663rd meeting, held on 8 May 1996 (see S/1996/15/Add.18).

[16] The matter was included in the agenda of the Council at the 3689th meeting, held on 15 August 1996 (see S/1996/15/Add.32).

THE INTERNATIONAL COURT OF JUSTICE[1]

A. Election of a member of the International Court of Justice

Decision

On 28 February 1996, the Security Council, at its 3636th meeting, and the General Assembly, at the 101st plenary meeting of its fiftieth session, elected Mr. Gonzalo Parra-Aranguren (Venezuela) to the International Court of Justice to fill a vacancy created by the death of Judge Andrés Aguilar Mawdsley.

B. Election of five members of the International Court of Justice

Decision

On 6 November 1996, the Security Council, at its 3709th meeting, and the General Assembly, at the 54th plenary meeting of its fifty-first session, elected five members of the International Court of Justice to fill the vacancies occurring on the expiration of the terms of office of the following judges:

Mr. Mohammed Bedjaoui (Algeria)
Mr. Stephen M. Schwebel (United States of America)
Mr. Mohamed Shahabuddeen (Guyana)
Mr. Vladlen S. Vereshchetin (Russian Federation)
Mr. Luigi Ferrari Bravo (Italy)

The following persons were elected as members of the International Court of Justice for a term of office beginning on 6 February 1997:

Mr. Mohammed Bedjaoui (Algeria)
Mr. Pieter H. Kooijmans (Netherlands)
Mr. Francisco Rezek (Brazil)
Mr. Stephen M. Schwebel (United States of America)
Mr. Vladlen S. Vereshchetin (Russian Federation)

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[1] Resolutions or decisions on this question were also adopted by the Council in 1946, 1948, 1949, 1951, 1953, 1954, 1956, 1957, 1958, 1959, 1960, 1963, 1965, 1966, 1969, 1972, 1975, 1978, 1980, 1981, 1982, 1984, 1985, 1987, 1989, 1990, 1991, 1993, 1994 and 1995.

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES

Decision

At its 3637th meeting, on 29 February 1996, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States

"Appointment of the Prosecutor".

Resolution 1047 (1996) of 29 February 1996

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993, 936 (1994) of 8 July 1994 and 955 (1994) of 8 November 1994,

Noting with regret the resignation of Mr. Richard J. Goldstone taking effect 1 October 1996,

Having regard to article 16, paragraph 4, of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia[1] and article 15 of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States,[2]

Having considered the nomination by the Secretary-General of Mrs. Louise Arbour for the position of Prosecutor of the above-mentioned Tribunals,

Appoints Mrs. Louise Arbour as Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the

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[1] See *Official Records of the Security Council, Forty-eighth Year, Supplement for April, May and June 1993,* document S/25704.

[2] Resolution 955 (1994), annex.

Territory of Neighbouring States with effect from the date on which the resignation of Mr. Goldstone takes effect.

Adopted unanimously at the 3637th meeting.

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decisions

At its 3711th meeting, on 13 November 1996, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly".

The decision of the Council was reflected in the following note by the President:[1]

"At its 3711th meeting, on 13 November 1996, the Security Council considered its draft report to the General Asssembly covering the period from 16 June 1995 to 15 June 1996. The Council adopted the draft report without a vote."

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[1] S/1996/935.

RECOMMENDATION REGARDING THE APPOINTMENT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS[1]

Decisions

At its 3714th meeting, held in private on 19 November 1996, the Security Council considered the question of the recommendation regarding the appointment of the Secretary-General of the United Nations.

At its 3725th meeting, held in private on 13 December 1996, the Council considered the question of the recommendation regarding the appointment of the Secretary-General of the United Nations.

Resolution 1090 (1996) of 13 December 1996

The Security Council,

Having considered the question of the recommendation regarding the appointment of the Secretary-General of the United Nations,

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[1] Resolutions or decisions on this question were also adopted by the Council in 1946, 1950, 1953, 1957, 1962, 1966, 1971, 1976, 1981, 1986 and 1991.

Recommends to the General Assembly that Mr. Kofi Annan be appointed Secretary-General of the United Nations for a term of office from 1 January 1997 to 31 December 2001.

Adopted by acclamation at the 3725th (closed) meeting.

Resolution 1091 (1996)
of 13 December 1996

The Security Council,

Recognizing the central role that Secretary-General Boutros Boutros-Ghali has played in guiding the Organization in the discharge of his responsibilities under the Charter of the United Nations,

Further recognizing his sustained efforts towards finding just and lasting solutions to various disputes and conflicts around the globe,

Commending the reforms that he has initiated and the many proposals that he has made on the restructuring and strengthening of the role and functioning of the United Nations system,

1. *Acknowledges* the contribution of Secretary-General Boutros Boutros-Ghali to international peace, security and development, his exceptional efforts to solve international problems in economic, social and cultural fields, as well as his endeavours to meet humanitarian needs and to promote and encourage respect for human rights and fundamental freedoms for all;

2. *Expresses its deep appreciation* to Secretary-General Boutros Boutros-Ghali for his dedication to the purposes and principles enshrined in the Charter of the United Nations and to the development of friendly relations among nations.

Adopted unanimously by acclamation at the 3725th (closed) meeting.

ITEMS INCLUDED IN THE AGENDA OF THE SECURITY COUNCIL IN 1996 FOR THE FIRST TIME

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting in 1996 will be found in the *Official Records of the Security Council, Fifty-first Year*, 3616th to 3729th meetings.

The following chronological list shows the meeting at which the Council decided, in 1996, to include in its agenda an item that had not been inscribed previously.

Item	*Meeting*	*Date*
Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995 (S/1996/10)	3627th	31 January 1996
Shooting down of two civil aircraft on 24 February 1996		
Letter dated 26 February 1996 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1996/130)	3634th	27 February 1996
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia		
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States		
Appointment of the Prosecutor	3637th	29 February 1996

Item	*Meeting*	*Date*
Signature of the African Nuclear-Weapon-Zone Treaty (The Treaty of Pelindaba)	3651st	12 April 1996
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia	3663rd	8 May 1996
Demining in the context of United Nations peacekeeping	3689th	15 August 1996
Letters dated 23 September 1996 and 3 and 11 October 1996 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/1996/774, S/1996/824 and S/1996/847)		
Letters dated 23 September from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council and 27 September 1996 addressed to the Secretary-General (S/1996/768 and S/1996/800)	3704th	15 October 1996
The situation in the Great Lakes region		
Letters dated 14 and 24 October 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/875 and S/1996/878)	3708th	1 November 1996

CHECKLIST OF RESOLUTIONS ADOPTED BY THE SECURITY COUNCIL IN 1996

Resolution number	*Date of adoption*	*Subject*	*Page*
1036 (1996)	12 January	The situation in Georgia	50
1037 (1996)	15 January	The situation in Croatia	25
1038 (1996)	15 January	The situation in Croatia	27
1039 (1996)	29 January	The situation in the Middle East	56
1040 (1996)	29 January	The situation in Burundi	2
1041 (1996)	29 January	The situation in Liberia	62
1042 (1996)	31 January	The situation concerning Western Sahara	69
1043 (1996)	31 January	The situation in Croatia	28
1044 (1996)	31 January	Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995 (S/1996/10)	72
1045 (1996)	8 February	The situation in Angola	12
1046 (1996)	13 February	The situation in the former Yugoslav Republic of Macedonia	46
1047 (1996)	29 February	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia	
		International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for such Violations Committed in the Territory of Neighbouring States	
		Appointment of the Prosecutor	133

Resolution number	*Date of adoption*	*Subject*	*Page*
1048 (1996)	29 February	The question concerning Haiti	87
1049 (1996)	5 March	The situation in Burundi	3
1050 (1996)	8 March	The situation concerning Rwanda ...	77
1051 (1996)	27 March	The situation between Iraq and Kuwait	94
1052 (1996)	18 April	The situation in the Middle East	57
1053 (1996)	23 April	The situation concerning Rwanda ...	78
1054 (1996)	26 April	Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995 (S/1996/10)	74
1055 (1996)	8 May	The situation in Angola	15
1056 (1996)	29 May	The situation concerning Western Sahara	70
1057 (1996)	30 May	The situation in the Middle East	58
1058 (1996)	30 May	The situation in the former Yugoslav Republic of Macedonia	47
1059 (1996)	31 May	The situation in Liberia	64
1060 (1996)	12 June	The situation between Iraq and Kuwait	96
1061 (1996)	14 June	The situation in Tajikistan and along the Tajik-Afghan border	103
1062 (1996)	28 June	The situation in Cyprus	109
1063 (1996)	28 June	The question concerning Haiti	89
1064 (1996)	11 July	The situation in Angola	18
1065 (1996)	12 July	The situation in Georgia	53
1066 (1996)	15 July	The situation in Croatia	32
1067 (1996)	26 July	Shooting down of two civil aircraft on 24 February 1996	86
1068 (1996)	30 July	The situation in the Middle East	59
1069 (1996)	30 July	The situation in Croatia	33

Resolution number	*Date of adoption*	*Subject*	*Page*
1070 (1996)	16 August	Letter dated 9 January 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council concerning the extradition of the suspects wanted in the assassination attempt on the life of the President of the Arab Republic of Egypt in Addis Ababa, Ethiopia, on 26 June 1995 (S/1996/10)	75
1071 (1996)	30 August	The situation in Liberia	65
1072 (1996)	30 August	The situation in Burundi	8
1073 (1996)	28 September	The situation in the occupied Arab territories	108
1074 (1996)	1 October	The situation in the former Yugoslavia	49
1075 (1996)	11 October	The situation in Angola	20
1076 (1996)	22 October	The situation in Afghanistan	82
1077 (1996)	22 October	The situation in Georgia	54
1078 (1996)	9 November	The situation in the Great Lakes region	115
1079 (1996)	15 November	The situation in Croatia	35
1080 (1996)	15 November	The situation in the Great Lakes region	117
1081 (1996)	27 November	The situation in the Middle East	60
1082 (1996)	27 November	The situation in the former Yugoslav Republic of Macedonia	48
1083 (1996)	27 November	The situation in Liberia	67
1084 (1996)	27 November	The situation concerning Western Sahara	71
1085 (1996)	29 November	The question concerning Haiti	90
1086 (1996)	5 December	The question concerning Haiti	90
1087 (1996)	11 December	The situation in Angola	22
1088 (1996)	12 December	The situation in Bosnia and Herzegovina	42
1089 (1996)	13 December	The situation in Tajikistan and along the Tajik-Afghan border	104

Resolution number	*Date of adoption*	*Subject*	*Page*
1090 (1996)	13 December	Recommendation regarding the appointment of the Secretary-General of the United Nations	134
1091 (1996)	13 December	Recommendation regarding the appointment of the Secretary-General of the United Nations	135
1092 (1996)	23 December	The situation in Cyprus	111

CHECKLIST OF STATEMENTS MADE AND/OR ISSUED BY THE PRESIDENT OF THE SECURITY COUNCIL DURING 1996

Date of statement	*Subject*	*Page*
5 January	The situation in Burundi (S/PRST/1996/1)	1
8 January	The situation in Croatia (S/PRST/1996/2)	24
22 January	The situation in the Middle East (S/PRST/1996/3)	56
24 January	The situation in Somalia (S/PRST/1996/4)	60
29 January	The situation in the Middle East (S/PRST/1996/5)	57
15 February	The situation in Afghanistan (S/PRST/1996/6)	80
15 February	The situation in Sierra Leone (S/PRST/1996/7)	83
23 February	The situation in Croatia (S/PRST/1996/8)	29
27 February	Shooting down of two civil aircraft on 24 February 1996 (S/PRST/1996/9)	85
4 March	The situation in the Middle East (S/PRST/1996/10)	57
19 March	The situation between Iraq and Kuwait (S/PRST/1996/11)	93
19 March	The situation in Sierra Leone (S/PRST/1996/12)	84
28 March	An Agenda for Peace: peacekeeping (S/PRST/1996/13)	98
29 March	The situation in Tajikistan and along the Tajik-Afghan border (S/PRST/1996/14)	101
4 April	The situation in Bosnia and Herzegovina (S/PRST/1996/15)	38
9 April	The situation in Liberia (S/PRST/1996/16)	63
12 April	Signature of the African Nuclear-Weapon-Free Zone Treaty (The Treaty of Pelindaba) (S/PRST/1996/17)	106
18 April	Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/PRST/1996/18)	109
24 April	The situation in Angola (S/PRST/1996/19)	13
25 April	The situation in Georgia (S/PRST/1996/20)	52

Date of statement	*Subject*	*Page*
25 April	The situation in Burundi (S/PRST/1996/21)	5
6 May	The situation in Liberia (S/PRST/1996/22)	64
8 May	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia (S/PRST/1996/23)	48
15 May	The situation in Burundi (S/PRST/1996/24)	5
21 May	The situation in Tajikistan and along the Tajik-Afghan border (S/PRST/1996/25)	102
22 May	The situation in Croatia (S/PRST/1996/26)	30
30 May	The situation in the Middle East (S/PRST/1996/27)	58
14 June	The situation between Iraq and Kuwait (S/PRST/1996/28)	96
3 July	The situation in Croatia (S/PRST/1996/29)	31
3 July	The situation in Croatia (S/PRST/1996/30)	31
24 July	The situation in Burundi (S/PRST/1996/31)	6
29 July	The situation in Burundi (S/PRST/1996/32)	7
30 July	The situation in the Middle East (S/PRST/1996/33)	59
8 August	The situation in Bosnia and Herzegovina (S/PRST/1996/34)	40
15 August	The situation in Croatia (S/PRST/1996/35)	33
23 August	The situation between Iraq and Kuwait (S/PRST/1996/36)	97
30 August	Demining in the context of United Nations peacekeeping (S/PRST/1996/37)	99
20 September	The situation in Tajikistan and along the Tajik-Afghan border (S/PRST/1996/38)	104
20 September	The situation in Croatia (S/PRST/1996/39)	34
28 September	The situation in Afghanistan (S/PRST/1996/40)	81
10 October	The situation in Bosnia and Herzegovina (S/PRST/1996/41)	42

Date of statement	*Subject*	*Page*
15 October	Letters dated 23 September and 3 and 11 October 1996 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/1996/774, S/1996/824 and S/1996/847)	
	Letters dated 23 September 1996 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council and 27 September 1996 addressed to the Secretary-General (S/1996/768 and S/1996/800) (S/PRST/1996/42)	113
22 October	The situation in Georgia (S/PRST/1996/43)	55
1 November	The situation in the Great Lakes region (S/PRST/1996/44)	114
27 November	The situation in the Middle East (S/PRST/1996/45)	60
4 December	The situation in Sierra Leone (S/PRST/1996/46)	85
20 December	The situation in Somalia (S/PRST/1996/47)	61
20 December	The situation in Croatia (S/PRST/1996/48)	37
30 December	The situation between Iraq and Kuwait (S/PRST/1996/49)	97

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